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22
Journal of the Senate

DURING THE

FORTY-NINTH SESSION

OF THE

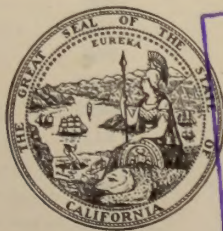
Legislature of the State of California

1931

FIRST PART BEGAN ON MONDAY, JANUARY FIFTH, AND
ENDED FRIDAY, JANUARY TWENTY-THIRD

SECOND PART BEGAN ON TUESDAY, FEBRUARY TWENTY-FOURTH
AND ENDED FRIDAY, MAY FIFTEENTH

LIEUTENANT GOVERNOR FRANK F. MERRIAM, President of the Senate
JOSEPH A. BEEK, Secretary



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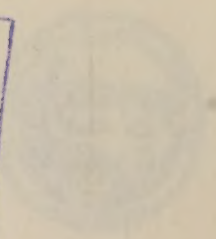
Journal of the Senate

Volume 10, Number 1

1951

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CALIFORNIA LEGISLATURE—SENATE.

FORTY-NINTH SESSION.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, January 5, 1931.

The hour of twelve o'clock m. having arrived, Hon. H. L. Carnahan, Lieutenant Governor and President of the Senate, called the Senators and Senators-elect to order, and announced that the forty-ninth session of the Legislature of the State of California was about to convene, and informed the Senators that the following officers of the Senate during the forty-eighth session of the Legislature were in their respective places in the Senate Chamber, as required by section 237 of the Political Code: Joseph A. Beek, Secretary; Harold J. Powers, Minute Clerk, and Joseph F. Nolan, Sergeant-at-Arms.

PRAYER.

By invitation of the President, prayer was then offered by Rev. Sherman L. Divine.

RESOLUTION.

The following resolution was offered:

By Senator Slater:

Resolved, That the hold-over Senators take their seats, and that the Senators-elect proceed to the bar of the Senate and take their oath of office on the certificate furnished by the Secretary of State.

Resolution read, and on motion of Senator Slater adopted.

CERTIFICATE FROM SECRETARY OF STATE.

By direction of the President the Secretary read the following certificate of duly elected Senators of the forty-ninth session of the Legislature of the State of California:

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that the following is a complete list of the hold-over State Senators, together with those duly elected at the general election, held on the fourth day of November, A. D. 1930, to represent the people of the State of California at the forty-ninth session of the Legislature of the State of California, as appears from the statement of vote received from the county clerks of the several counties and the registrar of voters of the city and county of San Francisco, comprising the several senatorial

districts of the State of California, said statement of vote being a record of and on file in my office, viz :

HOLD-OVER SENATORS.

Name.	District.	County or counties comprising district.
H. C. Nelson-----	First -----	Del Norte, Humboldt, Trinity, Tehama.
Bert Alford Cassidy---	Third -----	Plumas, Sierra, Nevada, Placer, El Dorado.
Thomas McCormack-----	Fifth -----	Napa, Solano.
J. M. Inman-----	Seventh -----	Sacramento.
William R. Sharkey-----	Ninth -----	Marin, Contra Costa.
George C. Cleveland-----	Eleventh -----	San Mateo, San Benito, Santa Cruz.
E. H. Christian-----	Thirteenth -----	Alameda.
Vacancy-----	Fifteenth -----	Alameda.
C. C. Baker-----	Seventeenth -----	Monterey, San Luis Obispo.
Tallant Tubbs-----	Nineteenth -----	San Francisco.
Vacancy-----	Twenty-first -----	San Francisco.
Thomas A. Maloney-----	Twenty-third -----	San Francisco.
Walter H. Duval-----	Twenty-fifth -----	Ventura, Santa Barbara.
Sanborn Young-----	Twenty-seventh -----	Santa Clara.
Joseph L. Pedrotti-----	Twenty-ninth -----	Los Angeles.
Henry E. Carter-----	Thirty-first -----	Los Angeles.
Vacancy-----	Thirty-third -----	Los Angeles.
Herbert Johnston Evans---	Thirty-fifth -----	Los Angeles.
George W. Rochester-----	Thirty-seventh -----	Los Angeles.
Nelson T. Edwards-----	Thirty-ninth -----	Riverside, Imperial, Orange.

SENATORS-ELECT.

Name.	District.	County or counties comprising district.
James M. Allen-----	Second -----	Del Norte, Siskiyou.
R. R. Ingels-----	Fourth -----	Mendocino, Lake.
Charles H. Deuel-----	Sixth -----	Butte.
John L. Moran-----	Eighth -----	Tehama, Glenn, Colusa.
W. P. Rich-----	Tenth -----	Sutter, Yuba.
Herbert W. Slater-----	Twelfth -----	Sonoma.
Roy Fellom-----	Fourteenth -----	San Francisco.
Arthur H. Breed-----	Sixteenth -----	Alameda.
Herbert Jones-----	Eighteenth -----	Santa Clara.
Bradford S. Crittenden---	Twentieth -----	San Joaquin.
David F. Bush-----	Twenty-second -----	Stanislaus.
Andrew R. Schottky-----	Twenty-fourth -----	Merced, Madera.
Dan E. Williams-----	Twenty-sixth -----	Calaveras, Tuolumne, Mariposa.
Joe Riley-----	Twenty-eighth -----	Inyo, Mono.
Ray W. Hays-----	Thirtieth -----	Fresno.
Frank W. Mixer-----	Thirty-second -----	Tulare.
J. I. Wagy-----	Thirty-fourth -----	Kern.
Ralph E. Swing-----	Thirty-sixth -----	San Bernardino.
J. W. McKinley-----	Thirty-eighth -----	Los Angeles.
William E. Harper-----	Fortieth -----	San Diego.

Witness my hand and the Great Seal of the State of California, at office in Sacramento, this thirteenth day of December, A. D. 1930.

[SEAL]

FRANK C. JORDAN, Secretary of State.

MOTION.

Senator Breed moved that the certificate of Secretary of State be corrected by adding the name of Senator Merriam as hold-over Senator.

Motion carried.

The President directed the Secretary to call the roll of hold-over Senators.

ROLL CALL OF HOLD-OVER SENATORS.

The roll was called, and the following answered to their names:

Senators Baker, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Inman, Maloney, McCormack, Merriam, Nelson, Pedrotti, Rochester, Sharkey, and Young—17.

The President directed the Secretary to call the roll of Senators-elect.

ROLL CALL OF SENATORS-ELECT.

The Secretary called the roll of Senators-elect, and the following answered to their names:

Senators Allen, Breed, Bush, Crittenden, Deuel, Fellom, Harper, Hays, Ingels, McKinley, Mixter, Moran, Rich, Riley, Schottky, Slater, Swing, Waggy, and Williams—19.

The President announced that the roll call disclosed nineteen Senators-elect present.

The President requested the Senators-elect to immediately present themselves at the bar of the Senate in order that the oath of office might be administered to them, and that they might subscribe to the same.

OBJECTION ORDERED RECORDED IN THE JOURNAL.

Pending administration of the oath, Senator Cleveland of San Mateo County protested and objected to Senator Fellom being sworn in as Senator from San Francisco County.

OATH OF OFFICE ADMINISTERED.

The nineteen members-elect, as their respective districts were called, then came forward, presented their certificates of election, and each took and subscribed to the following constitutional oath of office, administered by the Hon. William M. Finch, Justice of the District Court of Appeal, Third District:

I do solemnly swear that I will support the constitution of the United States, and the constitution of the State of California and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

ROLL CALL.

The President called the Senate to order and directed the Secretary to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Merriam, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—36.

Whereupon, the President announced their qualification and declared that a quorum of all the Senators was present.

LEAVE OF ABSENCE.

Senator Crittenden was, on motion of Senator Sharkey, granted leave of absence for the remainder of this day.

TEMPORARY ORGANIZATION EFFECTED.

Temporary organization having been effected, the President put the question, "What is the pleasure of the Senate?"

RESOLUTION.

The following resolution was offered:

By Senator Inman:

Resolved, That the Senate do now proceed to the election of the following statutory officers in the order named:

President pro tempore;
Secretary of the Senate;
Sergeant-at-Arms;
Minute Clerk, and
Chaplain.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Merriam, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wag, Williams, and Young—35.

NOES—None.

INTRODUCTION OF BEVERLEY JEANNE HURLEY.

Senator Inman arose and introduced his granddaughter, Beverley Jeanne Hurley, to the Senate, and requested her name be printed in the Journal.

NOMINATIONS FOR AND ELECTION OF PRESIDENT PRO TEMPORE OF THE SENATE.

The President thereupon declared nominations for the office of President pro tempore of the Senate in order.

Senator McKinley placed in nomination for the office of President pro tempore of the Senate the Hon. Arthur H. Breed of Alameda County, State Senator from the Sixteenth District.

Senators Nelson and Slater seconded the nomination of Hon. Arthur H. Breed for President pro tempore.

The President put the question, "Are there any further nominations for the office of President pro tempore of the Senate?"

There being no response, the nominations were declared closed.

The roll was called, with the following result:

For HON. ARTHUR H. BREED—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wag, Williams, and Young—34.

Whereupon, the President declared Senator Arthur H. Breed duly and unanimously elected President pro tempore of the Senate for the forty-ninth session of the California Legislature.

OATH OF OFFICE OF PRESIDENT PRO TEMPORE.

The following constitutional oath of office was administered to Senator Breed by Hon. William M. Finch, Presiding Justice of the District Court of Appeal, Third District:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of President pro tempore of the Senate, according to the best of my ability.

MINUTE CLERK HAROLD J. POWERS AT THE DESK.

NOMINATIONS FOR AND ELECTION OF SECRETARY OF THE SENATE.

The President declared nominations for the office of Secretary of the Senate in order.

Senator Breed placed the name of Joseph A. Beek of Balboa, in nomination for Secretary of the Senate.

Senator Maloney seconded the nomination of Joseph A. Beek for Secretary of the Senate.

The President put the question, "Are there any further nominations for the office of Secretary of the Senate?"

There being no response, the nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For JOSEPH A. BEEK—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams and Young—34.

Whereupon, the President declared Joseph A. Beek duly and unanimously elected Secretary of the Senate.

SECRETARY JOSEPH A. BEEK AT THE DESK.

NOMINATIONS FOR AND ELECTION OF SERGEANT-AT-ARMS.

The President declared nominations for the office of Sergeant-at-Arms of the Senate in order.

Senator Rochester placed the name of Joseph Francis Nolan of Los Angeles, in nomination for Sergeant-at-Arms of the Senate.

Senator Nelson seconded the nomination of Joseph Francis Nolan for Sergeant-at-Arms.

The President put the question, "Are there any further nominations for the office of Sergeant-at-Arms of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For JOSEPH FRANCIS NOLAN—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—35.

Whereupon, the President declared Joseph Francis Nolan of Los Angeles, duly and unanimously elected Sergeant-at-Arms of the Senate.

NOMINATIONS FOR AND ELECTION OF MINUTE CLERK OF THE SENATE.

The President declared nominations for the office of Minute Clerk of the Senate in order.

Senator Allen placed the name of Harold J. Powers of Modoc County, in nomination for Minute Clerk of the Senate.

Senator Maloney seconded the nomination of Harold J. Powers for Minute Clerk.

The President put the question, "Are there any further nominations for the office of Minute Clerk of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For HAROLD J. POWERS—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—34.

Whereupon, the President declared Harold J. Powers duly and unanimously elected Minute Clerk of the Senate.

NOMINATIONS FOR AND ELECTION OF CHAPLAIN.

The President declared nominations for the office of Chaplain of the Senate in order.

Senator Inman placed the name of Rev. Sherman L. Divine, D.D., LL.D., of Sacramento in nomination for Chaplain of the Senate.

Senator Slater seconded the nomination of Rev. Sherman L. Divine, D.D., LL.D., for Chaplain of the Senate.

The President put the question, "Are there any further nominations for the office of Chaplain of the Senate?"

There being no response, nominations were declared closed.

The President directed the Secretary to call the roll.

The roll was called, with the following result:

For REV. SHERMAN L. DIVINE, D.D., LL.D.—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams and Young—35.

Whereupon the President declared Rev. Sherman L. Divine, D.D., LL.D., of Sacramento duly and unanimously elected Chaplain of the Senate.

OATH OF OFFICE ADMINISTERED.

The newly-elected officers of the Senate, Joseph A. Beek, Secretary; Joseph F. Nolan, Sergeant-at-Arms; Harold J. Powers, Minute Clerk, and Rev. Sherman L. Divine, D.D., LL.D., Chaplain, appeared at the bar of the Senate, where the constitutional oath of office was administered to them by the Hon. William M. Finch, Presiding Justice of the District Court of Appeal, Third District, and they subscribed to the same.

RESOLUTIONS.

The following resolutions were offered:

By Senator Slater:

Resolved, That the President of the Senate appoint a special committee of three to notify the Governor of the organization of the Senate, and that the Senate is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Slater, seconded by Senator Maloney, adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of Senators Slater, Inman and Duval as the special committee to call upon the Governor and notify him of the organization of the Senate and that the Senate is now ready to receive any communication he may have to make.

By Senator Deuel:

Resolved, That the President of the Senate appoint a special committee of three to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State.

Resolution read, and on motion of Senator Deuel adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of Senators Deuel, Mixer and Harper as a committee from the Senate to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State.

By Senator Breed :

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers :

President pro tempore, Arthur H. Breed.
Secretary of the Senate, Joseph A. Beek.
Sergeant-at-Arms, Joseph F. Nolan.
Minute Clerk, Harold J. Powers.
Chaplain, Rev. Sherman L. Divine, D.D., LL.D.

Resolution read, and on motion of Senator Breed adopted.

By Senator Breed :

Resolved, That the Standing Rules of the Senate of the forty-eighth session of the Legislature of the State of California be, and they are hereby adopted as the temporary rules of the forty-ninth session of the Senate with the following exceptions : that rule eight be omitted and rule one shall read as follows :

1. The sessions of the Senate shall be daily, Sundays excepted, beginning at ten o'clock a.m. unless otherwise ordered by vote of the Senate.

TEMPORARY RULES OF THE SENATE.

Convening and Order of Business—Hour of Meeting.

1. The sessions of the Senate shall be daily, Sundays excepted, beginning at ten o'clock a.m. unless otherwise ordered by vote of the Senate.

Calling to Order.

2. The President, President pro tempore, or senior member present shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

Order of Business.

3. The order of business :

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal of the Preceding Day.
4. Presentation of Petitions.
5. Messages from the Governor.
6. Messages from the Assembly.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions and Notices.
10. Introduction, First Reading, and Reference of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Orders of the Day.
14. Announcement of Committee Meetings.
15. Adjournment.

Presiding Officer of the Senate—The President.

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. The President shall preside over the sessions of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

The President Pro Tempore.

5. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President ; but the President pro tempore shall vote only as any other member of the Senate.

Presiding by Senators.

6. The President, or President pro tempore in the absence of the President, shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President ; but such substitute shall not lose the right of voting on any question while so presiding.

Committees of the Senate—Appointment of Committees.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof.

All other committees shall be appointed in such manner as the Senate shall determine.

Schedules for Committee Meetings.

9. The President shall be empowered to propose to the Senate such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

Quorum of Standing Committees.

10. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal. When a committee report is signed out, the Journal shall note such fact.

No Committee Expenditures Permitted.

11. No member of any committee shall, except by resolution of the Senate, be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Finance shall, during the Constitutional Recess, be permitted to visit State institutions for which appropriations are asked, and shall be allowed his actual expenses while on such business.

Special Duties of Certain Committees—Committee on Engrossment, Enrollment and Printing.

12. All Senate bills, constitutional amendments and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. The indications of new matter, omissions, or amendments appearing upon the printed bill shall be omitted from the engrossed copy of the bill. All such bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment, Enrollment and Printing; the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate. It shall be in order for the Committee on Engrossment, Enrollment and Printing to report at any time.

Engrossing and Enrolling Bills.

13. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment, Enrollment, and Printing or to the clerk of that committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment, Enrollment, and Printing or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

Committee on Rules.

14. The Committee on Rules shall have the general duty of proposing or of presenting recommendations as to the Standing Rules of the Senate. The President pro tempore shall be the chairman of this committee, and the President shall be an ex officio nonvoting member. When executive communication of nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

Committee on Contingent Expenses.

15. No claim shall be paid out of the contingent fund of the Senate unless the same shall have been referred to and reported on by the Committee on Contingent Expenses.

Committee on Revision and Printing.

16. The Committee on Revision and Printing shall have general charge of matters connected with all printing done for the Senate. It shall have the specific duties prescribed for it in the Joint Rules of Senate and Assembly.

Other Senate Officers—Secretary of the Senate.

17. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all copying and work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct Journal of the proceedings of the Senate.

4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.

5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

Custody of Bills and Papers.

18. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment, Enrollment and Printing and take receipts therefor.

Sergeant-at-Arms of the Senate.

19. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant at Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

Distribution of Printed Matter.

20. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

Preparation and Introduction of Bills—Introduction and First Reading.

21. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee.

Joint and Concurrent Resolutions and Constitutional Amendments.

22. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; *provided*, that they shall have but one reading, which reading shall occur after they have been reported by committee.

Introduction of Bills by a Committee.

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee, whereupon the bill shall immediately be read the first time, ordered to print and placed upon the second-reading file.

Introduction of Bills After the Constitutional Recess.

24. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills." The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought and generally as to the advisability of introducing the measure.

No bill shall be introduced without the consent of three-fourths of the members after report thereupon by the Committee on Introduction of Bills, nor shall more than two bills be introduced by any one member after the constitutional recess.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, nor shall the number to be introduced by any one member be limited.

Bills in Committee—Reference of Senate Bills.

25. At the time of introduction the President shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.

Order of Reference.

26. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Reference with Special Instructions.

27. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its reference to a select committee under special instructions to amend. Adoption of amendments to any bill by the Senate prior to third reading, other than the roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

Reference of Assembly Bills.

28. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee; *provided, however*, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment, Enrollment and Printing for comparison, which committee shall report without delay whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second-reading file and be considered as having received the same committee recommendation as the Senate bill; *provided*, that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

Reference of Appropriation Bills.

29. All bills appropriating money from any funds shall be referred to the Committee on Finance before being read the second time. Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the Senate or coming from the Assembly, be referred to the Committee on Finance.

Notice to Author of Bill.

30. The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

Committee Amendments to Bills.

31. When amendments to a bill are reported by a committee, the clerk of such committee shall prepare three copies of each amendment, one to go with the bill to the Superintendent of State Printing, one to the Minute Clerk, and one to the Secretary of the Senate.

Reports of Committees.

32. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule, *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

Order of Considering Bills—Order of Making File.

33. When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time, the bill shall be ordered at the foot of the file, and notice of the fact of the bill having been passed on file prior to the order placing it at the foot of the file shall be omitted from the General File.

The General File.

34. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its

place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

Special Order.

35. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Three Readings of Bills.

36. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the membership of the Senate in which it is being considered shall by vote of the ayes and noes dispense with this provision).

Ordering Bills to Third Reading.

37. After being read the second time bills shall be ordered by the President to third reading (or, in the case of Senate bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be "Shall the bill be ordered to third reading?"

Bills Considered During Last Seven Days.

38. No Senate bill shall be passed by the Senate within seven days of the time set for adjournment *sine die* of the two houses of the Legislature unless permission to vote on such a bill be granted by a three-fourths vote of the entire membership of the Senate, voting by roll call.

Questions and Motions—Precedence of Motions During Debate.

39. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Provided, however, that during a call of the Senate, it may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had, during a call of the Senate, on any matter so taken up or considered while the Senate is under call. When a call of the Senate is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

Amendment or Division of Question.

40. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motion to amend the part to be stricken out shall have precedence.

Restrictions as to Amendments.

41. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

Vote Required for Amendments.

42. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

Procedure of Debate—Seconding and Announcement of Motion.

43. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Regulations as to Speaking.

44. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Securing of the Floor.

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

Order in Debate.

46. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

The Previous Question.

47. The previous question shall be put in the following form: "Shall the question be now put?" It shall be admitted only when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

Executive Session.

48. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

Voting by Senate—Calling Ayes and Noes.

49. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

Excused from Voting.

50. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

Reconsideration of Vote.

51. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution, has been passed or defeated, fourteen votes to reconsider the vote by which any constitutional amendment has been passed, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been defeated. Notice of reconsideration of the vote by which a Senate bill was passed, or a Senate joint resolution, Senate concurrent resolution or Senate constitutional amendment adopted, shall not be in order on or after the eighth day preceding the last day of the session. No notice of reconsideration shall be in order on the day preceding the last day of the session.

When Bill Is Held for Reconsideration.

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for

moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

When a Bill Is Recalled for Reconsideration.

53. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Debate on Motion to Reconsider.

54. A Senator, after a notice to reconsider is given, as provided in Rule 53, shall, at the reconsideration thereof, present the main question in his argument thereon, and the same shall be debated by the Senate, provided that the subject matter is debatable, and the vote on reconsideration shall be on the merits of the main question.

Messengers and Other Papers—Messengers from the Governor.

55. Messengers from the Governor may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

Messengers from the Assembly.

56. Messengers from the Assembly may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a member is addressing the Senate.

Consideration of Assembly Messages.

57. Messages from the Assembly may be considered when indicated by the Order of Business, or at any other time, by unanimous consent, or by vote of the Senate.

Reading of Papers.

58. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

Contents of Senate Journal—Proceedings to Be Printed.

59. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

Titles of Bills to Be Printed.

60. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

Statement of Petitions to Be Printed.

61. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

Other Matter to Be Printed.

62. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate, shall be printed in the Journal in full; *provided*, that in case of a concurrent resolution offering the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments shall not be printed in the Journal.

Legislative Printing—Number of Bills Printed.

63. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall be delivered to each Senator at his desk, and the balance shall be distributed according to law.

Number of Journals Printed.

64. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly paged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

Number of Other Documents Printed.

65. Seven hundred fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

Excess Printing Only on Written Order.

66. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

Form of Printing Amendments.

67. All bills amended by either house shall be immediately reprinted; in case new matter is added by the amendment, such new matter shall be printed in italics in the printed bill; and in case of matter being omitted, the matter to be omitted shall be printed in type bearing a single horizontal line through the center and commonly known as "strike-out" type. When a bill amendatory of a code section or a general law is engrossed, all figures or symbols shall be removed and the bill shall be printed in the usual roman type.

The Senate Chamber—Admission Within Bar of Senate.

68. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

No Lobbying in Senate Chamber.

69. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

Maintaining of Order.

70. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

Smoking Within Senate Chamber.

71. No smoking shall be allowed within the Senate Chamber when objected to by the presiding officer or by any five members.

Miscellaneous Provisions—Duties of Members.

72. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the contingent fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Call of the Senate.

73. Upon a motion being carried for a call of the Senate the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon no one shall be permitted to leave or enter the Senate except by written permission of the President or President pro tempore, or except such members as are taken into custody as herein provided. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the Senate.

Parliamentary Rules.

74. In all cases not provided for by these rules, or by the Joint Rules of Senate and Assembly, the authority shall be Robert's Rules of Order.

Suspension or Change of Rules.

75. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except that portion of Rule 13, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator McKinley: Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER ONE.

Senator McKinley asked for, and was granted, unanimous consent to take up for consideration Senate Concurrent Resolution No. 1, without reference to committee, for purpose of adoption.

SENATE CONCURRENT RESOLUTION No. 1.

Relative to inaugural ceremonies.

Resolved by the Senate, the Assembly concurring. That a committee of three members of the Senate be appointed to confer with a committee of three from the Assembly, to make arrangements for the inaugural ceremonies, said committee to be appointed by the President of the Senate and the Speaker of the Assembly, respectively, and to have full power to act in the premises. Any expenses to be paid by the Senate and Assembly out of their respective contingent funds, and not to exceed the sum of one thousand dollars, one-half to be paid from the contingent fund of each house.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 1 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Edwards, Evans, Fellom, Hays, Ingels, Maloney, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Wagy, and Young—29.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 1 ordered transmitted to the Assembly.

APPOINTMENT OF COMMITTEE.

Pursuant to the provisions of Senate Concurrent Resolution No. 1 the President announced the appointment of Senators McKinley, Nelson and Young as a committee to confer with a committee of three from the Assembly, to make arrangements for the inaugural ceremonies.

REPORT OF SPECIAL COMMITTEE.

The following special committee report was received and read:

SENATE CHAMBER, SACRAMENTO, January, 5, 1931.

MR. PRESIDENT: Your special committee appointed to notify the Governor of the organization of the Senate and that the Senate is now ready to receive any communication he may have to make, respectfully reports that it has communicated with the Governor as directed.

SLATER,
INMAN,
DUVAL,
Committee.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Breed: Senate Bill No. 1—An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the eighty-first and eighty-second fiscal years.

CONSIDERATION OF SENATE BILL NUMBER ONE.

Senator Breed asked for, and was granted, unanimous consent to take up for consideration Senate Bill No. 1, without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Senate Bill No. 1 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy and Williams—32.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 1.

SECOND READING OF SENATE BILL NUMBER ONE.

Senate Bill No. 1—An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the eighty-first and eighty-second fiscal years.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of article IV, section 1 of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney,

McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy and Young—33.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 1 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO APPOINT COMMITTEE.

Senator Nelson moved that Senators Swing, Maloney and Breed be appointed on the Committee of Attaches with Senator Swing as chairman.

The question being on Senator Nelson's motion.

The roll was called, and Senator Nelson's motion carried by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—33.
NOES—Senator Cleveland—1.

APPOINTMENT BY THE SERGEANT-AT-ARMS.

The following communication was received and read:

SENATE CHAMBER, SACRAMENTO, CALIFORNIA, January 5, 1931.

MR. PRESIDENT: I beg leave to report that pursuant to the authority vested in me by section 245 of the Political Code, I have this day appointed John T. Young to the office of bookkeeper to the Sergeant-at-Arms at a per diem of \$5.00, and respectfully ask the consent of the Senate thereto.

JOSEPH F. NOLAN, Sergeant-at-Arms.

Senator Slater moved the appointment be confirmed by the Senate.

The question being upon the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—32.
NOES—None.

APPOINTMENT BY THE SECRETARY.

The following communication was received and read:

SENATE CHAMBER, SACRAMENTO, January 5, 1931.

To the President and Members of the Senate of the State of California.

I have the honor to inform you that I have this day appointed Paul Mason to the position of Assistant Secretary and Clerk of the Committee on Printing at a per diem of \$9, and respectfully ask the consent of the Senate thereto.

J. A. BEEK, Secretary.

Senator Maloney moved the appointment be confirmed by the Senate.

The question being upon the confirmation of the appointment.

The roll was called, and the appointment confirmed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Williams, and Young—32.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

	<i>Per diem</i>
Florence E. Iverson, stenographer-----	\$5 00
Ediel Howland, stenographer-----	5 00
Dorothy F. Burk, stenographer-----	5 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Duval, Duval, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—29.

NOES—None.

SPEECH BY EX-GOVERNOR GILLETT.

Senator Nelson called the attention of the Senate to the presence of ex-Governor Gillett in the Senate Chamber and to the fact that thirty-four years ago Governor Gillett was sworn in as a member of the Senate from Humboldt County. He spoke briefly of the service to the State of Governor Gillett as State Senator, Governor, and member of Congress.

President Carnahan called upon ex-Governor Gillett, who delivered a brief address to the Senate.

REPORT OF SPECIAL COMMITTEE.

The following special committee report was received and read:

SENATE CHAMBER, SACRAMENTO, January 5, 1931.

MR. PRESIDENT: Your special committee appointed to notify the Assembly of the organization of the Senate and that the Senate is now ready to receive any communication the Assembly may have to make, respectfully reports that it has communicated with the Assembly as directed.

DEUEL.
MIXTER.
HARPER.
Committee.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor Noek and Mrs. Noek of San Rafael.

On request of Senator Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Jerry De Cou, mayor of San Leandro, and Mrs. De Cou.

MESSAGES FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Senate and Assembly of the State of California.

I am submitting herewith copies of my Second Biennial Message as provided in section 10, article V of the State constitution. If any member of either house desires additional copies of this message I trust that he will inform this office.

Yours very respectfully,

C. C. YOUNG, Governor.

January 5, 1931.

Also:

The following message was received and ordered printed in the Journal:

FOREWORD.

In presenting this lengthy message to the Legislature, I am not so sanguine as to believe that any reader will at any one time have the patience to labor through it in its entirety. I have felt, however, that it may be of interest to picture in considerable detail the present status of California State government in all its phases.

By the aid of the table of contents and the index it will not be difficult, I hope, to learn just how far we have progressed at the present date in solving the multitude of problems which are before us. We have taken this task very seriously these past four years, and I believe can look back on many accomplishments which have been worth while.

What we have done, however, means little unless we have left our work in such condition that it can be taken up and improved upon by those who follow us. Government is a living, growing thing, and it is my sincere wish that the administration which is just beginning may achieve a governmental record better than any which has gone before.

Those of us who are today handing our work over to our successors have desired to leave behind a handbook which may aid them in their future endeavors. The preparation of this message has meant a month of very busy work, but if it may prove of any assistance either to the Legislature or to the various departments in the administration of the incoming Governor, that month will not have been spent in vain.

C. C. YOUNG, Governor.

January 5, 1931.

SECOND BIENNIAL MESSAGE

OF

GOVERNOR C. C. YOUNG

EXECUTIVE DEPARTMENT, January 5, 1931.

To the Senate and Assembly of the State of California.

In my message which I submitted to you two years ago, I called attention to the fact that the provision for a Governor's message to the Legislature is as old as is the history of California; since section 10 of article V, where this provision is made, appears not only in our present State constitution, but is copied verbatim from the same section and article in the original constitution of 1849. In that section it is required that the Governor "shall communicate, by message to the Legislature at every session, the condition of the State, and recommend such matters as he shall deem expedient."

PURPOSE OF EXECUTIVE MESSAGE.

There are two executive messages which are always submitted to a Legislature at the beginning to its regular session. One is this biennial message to which I have just referred; the other is the budget message containing recommendations as to State expenditures for the ensuing biennial period. Whenever there is a change in a State administration, this latter message is, by section 34, article IV of the constitution, committed to the incoming Governor; and properly so for the reason that all these expenditures will be made during his term of office, and he alone should therefore have the privilege and responsibility of determining the amounts to be allotted to various departments, institutions, and other governmental agencies. However, the biennial message, such as I am here submitting, has always been the task of the outgoing Governor, because he is required not only to "recommend matters" to the Legislature, but also to outline "the condition of the State," as he hands the reins of government over to his successor.

In this message I shall devote most of my attention to that portion of the constitutional requirement which directs me to report "the condition of the State," and shall show as clearly as I am able what has been accomplished during these past

years by our State departments and other governmental agencies. Whatever recommendations are made will be only as dictated by past experience, and I shall present them exactly as if I were to be here in helping you carry them out. For, after all, the finest thing about the government of our American states is the recognition that it is a continuing function, where individuals mean little but where a continuous policy for the public welfare means much. For this reason I am happy to assume that your new Governor, whom you are about to inaugurate, will continue and improve upon all the constructive accomplishments which all his predecessors have woven into the fabric of our State's history.

STUDIES IN LONG-TIME PLANNING.

In my message of two years ago I stated that the present State administration recognizes that this particular period of our governmental history may well be marked by long-time planning of public policies; that if State government is to keep in step with the State's progress in other directions, it must make wise preparation for the future instead of focusing its attention merely upon the immediate needs of the present. With this in mind, a great deal of time and attention has been devoted to the making of studies and the perfecting of plans, which, through the coordinated effort of the executive and the legislative branches of government, will help insure the progressive development of our State through many years to come. A brief mention of a few accomplishments along this line will serve for illustration.

A ten-year building program has been devised to take the place of the hit-or-miss, hand-to-mouth plan of State building that has heretofore prevailed. A similar program, looking far into the future, was laid out for our State highway system. The growing tendency to construct private toll bridges was checked by the establishment of a State policy as to future bridges, with the carefully prepared plans for a publicly built, publicly operated bay bridge as the outstanding achievement of that policy. The pressing needs for water conservation in our rapidly growing State have been recognized through the work of a commission, which is just completing what will probably stand forth as the most comprehensive study ever made on such a subject. These are a few of the plans for the future along material lines which have occupied the past two years.

PROPOSED GOVERNMENTAL CHANGES.

In the field of governmental affairs, I may mention the work which a commission of fifteen members has been giving to our State constitution, with a view to making recommendations which will inspire public confidence in our first scientific attempt at constitutional revision. Another commission has been studying the subject of county government, with a view to suggesting some more rational and economical plan than the present unwieldy system which so burdens each legislative session. A third commission of eminent lawyers has been devoting many weeks to the problem of code revision, to see if there can not be devised a simpler codification of our laws, possibly somewhat in the nature of the School Code which was adopted two years ago. Still another commission has been at work on plans for stabilizing the financing of irrigation and reclamation districts, so that the bonds of these districts may be more readily marketable, and the interest charges may be reduced to more reasonable limits. All these commissions are giving freely of their time, without remuneration, to make some contribution toward a sounder and better governmental structure for California.

One of the most important studies of this kind which is now in process is directed toward the educational system of the State. We are all exceedingly proud of our public schools and are willing to contribute liberally to their support. At the same time, in view of the fact that their total cost from combined State and local sources far exceeds any other governmental expenditure, it is wise to determine whether they are fully meeting the needs of the present day, and whether any changes are possible from the standpoint of either efficiency of results or economy of operation. In order to supplement the fine work on this subject which is being continuously carried on by the teaching profession, this particular investigation has been entrusted to a lay commission. A vast amount of work has been done by the members of this commission, and the results of their labors will soon be before you.

TAX INVESTIGATION.

In addition to all these studies which are being carried on by statutory provision, there are other similar studies on the part of legislative committees created for that purpose. Inasmuch as these are your own committees, whose reports will be made directly to yourselves as members of the Legislature, a discussion of their activities naturally would not fall within the scope of this message. There is one of these committees, however, which is carrying on an investigation previously started by a statutory commission, and which is directed toward a problem so intimately connected with the administrative side of government that it manifestly calls for some discussion. I refer to the Legislative Tax Committee and the California Tax Commission, which have been occupied with California's tax problem during the past four years.

As I said above, the significant thing about all this work and these investigations, whether conducted by legislative committees or by executive commissions, is the fact that they not only are concerned with immediate governmental problems, but also are surveying the needs and opportunities for constructive governmental progress in the

years to come. With this in mind, I shall at this time briefly call attention to some of these matters which during the past two years have been engaging our attention. Some of them, in the shape of reports, will later be presented to you in a more formal way. Here they can amount to little more than a mere enumeration.

TEN-YEAR BUILDING PROGRAM.

The ten-year building program for State institutions was devised some three years ago to replace the former expensive method of planning only at the demands of immediate urgency. The old haphazard way of providing for the building needs of institutions had not only favored some institutions at the expense of others where the need was really greater, but had also failed to keep pace with the constantly increasing institutional requirements.

A survey of conditions made it clear that there were four requirements in these institutional needs which must be met: 1. Provision of additional capacity to relieve present overcrowded conditions. 2. Provision of additional capacity for population properly entitled to admission, but excluded for lack of accommodations. 3. Provision of additional capacity for the normal increase in institution population from one biennium to another. 4. Provision for replacing existing structures as they become obsolete and unfit for occupancy.

It was at once obvious that to fulfill these four requirements would be more than could properly be expected of any one legislative appropriation. After considerable study it was determined to work out a comprehensive plan by which a ten-year building program for each of the teachers colleges, hospitals, prisons, correctional schools, and other institutions of the State, would result in the best possible building plant for each at the end of this ten-year period, replacing such buildings as must be abandoned by that time and providing adequate space for the estimated population which must be accommodated.

DEVELOPMENT OF THE PROGRAM.

In order to determine upon the latter, curves were plotted showing the growth of the State and of each of the institutions of the State from 1907 to 1927, when this survey was made, and projected forward from 1927 to 1947, thus showing the actual population increase for twenty years in the past and the anticipated increase for twenty years in the future. After the lapse of three years it is interesting to note the almost uncanny accuracy of these forecasts. For instance, it was predicted that the population of the State in 1930 would be 5,606,000, or within one per cent of the results shown by the census. It was predicted that the patients in our mental hospitals by 1930 would total 14,988, whereas the actual total was 14,906, or within one-half of one per cent. It was calculated that the inmates in the homes for the feeble-minded would number 2742, whereas their actual number was 2715; and so on all along the line.

On the basis of these first scientific forecasts of population, a detailed estimate of needs over a range of five biennial periods was prepared—all through the cooperation of the various directors, the heads of the institutions concerned and the Department of Public Works. This program is designed to make necessary replacements, provide for anticipated growth, and so take up the slack of present overcrowding and lack of accommodations as to put the physical plant of the institution in the best possible condition at the end of ten years, by approaching nearer and nearer to that goal at each biennium of that period.

This plan has been developed to the extent that specific buildings are recommended as a fixed program to be followed out by each Legislature until 1938 for each of some thirty State institutions. It is of course fully recognized that no future Governor or Legislature is bound by the program; yet it has been based so carefully on existing facts and painstaking forecasts that it is believed there will be no reason to overthrow it or to modify it greatly, except as new and unforeseen conditions may arise in the case of some of the institutions which will materially alter their needs. I feel that I am safe in saying that a fairly close adherence to the ten-year building program not only will produce a more symmetrical building development than could otherwise be obtained, but will also effect economies in construction amounting to millions of dollars during that period through the avoidance of needless duplication. Nevertheless, because of the scope of the program there is ample flexibility in the details whereby a considerable volume of projected building may be anticipated during such a period as your present session is facing, thus making a definite attack on the problem of unemployment.

CREATION OF NEW INSTITUTIONS.

Our survey of existing State hospitals disclosed the fact that these institutions will have reached their maximum proper capacity within the next four years. The time for building a new hospital was hastened by the fact that Norwalk, in Los Angeles County, is so situated that it can never economically become a large hospital, like Patton, for instance. It was therefore manifest that steps must be taken to secure a site for a new hospital, and that, owing to the comparatively larger hospital facilities in the northern portion of the State, this new institution should be located in the south.

The Legislature of 1929 accordingly provided for a commission partly of department heads and partly of citizens to select a site for this new hospital. In this selection many factors had to be taken into consideration, among them location, climate, topography, fertility of soil, extent of tillable land, abundance of water, and price. More than a hundred proposed sites were submitted, careful technical studies were made of many of them, and a final selection has been made near Arlington in northwestern Riverside County. This site is composed of a thousand acres of tillable land with an assured abundance of water. It is so located that it is easily accessible to all the counties of southern California. Nearly \$700,000 for building purposes are left in the present appropriated fund, and work is already progressing on the plans, in order to make this institution ready for occupancy as soon as possible. By making use of plans previously used in other institutions, but adaptable to this site, actual construction can begin immediately after the State takes possession. This will furnish a very definite aid in the matter of unemployment.

Our survey also showed that our prisons have grown beyond their proper capacity. In fact, California possesses the unenviable distinction of having in San Quentin—the largest prison in the United States—a condition brought about through the fact that no new State prison has been established for fifty years. Moreover, careful studies made by the California Crime Commission and two joint committees of the Legislature indicated not only the need of a new prison, but of a new kind of prison, especially designed to care for youthful first offenders. In order to reduce to a minimum the expense of transporting prisoners, this new intermediate prison was designed for southern California, where no prison at present exists.

NEW PRISON SITES.

A commission, consisting of the head of the prison board and the directors of several State departments, was by statute given the task of selecting a site for this new prison. As in the case of the hospital, many sites—more than one hundred and fifty in all—were submitted. Practically the same considerations as to availability prevailed as to this site which were considered necessary in the hospital site. In both cases the most difficult requirement to meet was the certainty of a sufficient and never-failing water supply, and consequently no final decision was made until it was absolutely certain that this and the other requirements were adequately met. After eliminating from consideration one property after another, a final choice was made of a property near Castaic in Los Angeles County as far superior to all the others.

However, as the commission was about to consummate the purchase, the fact developed that a 150-foot strip running diagonally through the property was owned in fee simple by one of the power companies. The State was of course unwilling to complete the purchase with the land included in this strip—some 35 or 40 acres in all—under another ownership; while the power company was equally unwilling to surrender its title. Probably the only way will be to move the company's power line, at the expense of some \$45,000, to one edge of the property where it will do no harm, after which the present strip can be deeded to the State. The expense of this removal may very properly be borne in substantial equal amounts by the power company and the present owner of the property. After the site is finally secured, its improvement should at once be planned. The money appropriated at last session was designed only for the purchase of the site, and a new appropriation must now be made for a commencement of the necessary building construction.

Aside from this intermediate prison, there has also been established during the past two years a women's penal institution, thus taking women offenders away from their present unsuitable quarters in a men's prison. A very wonderful site for this institution has been secured in a mountain valley near Tehachapi in Kern County, and plans are already being completed for the first unit of the buildings. Much of the direction of this new women's institution is to be committed to a special board, a majority of which shall be women, and California will soon rank high among all the states of the Union in the way she has met this specialized prison problem.

These three new State institutions, all very urgently needed in varying degrees for a long time, have all been provided within the past two years. They will undoubtedly take care of the State's prison and hospital needs for a considerable time to come, and furnish another instance of the present tendency to provide not for present needs alone but for the needs of the future.

OTHER STATE BUILDINGS

Aside from the building program of our State institutions, it is proper that I should briefly report conditions as to other State buildings and State property, particularly with reference to the office facilities for the conducting of State business. Our present State Capitol at Sacramento has been occupied for almost sixty years with little change during that period except for a somewhat extensive remodeling of the interior some twenty-three years ago and another interior remodeling and renovating during the past two or three years. This latter work has comprised an enlargement and shifting of quarters on the lower floor for Governor, Secretary of State, Controller and Treasurer, as well as a renovation of the Senate and Assembly chambers, together with improvements in the committee rooms on the fourth floor.

New elevators have been installed, illumination for the dome has been devised, and California is now able to boast of a Capitol which, while one of the oldest in the country, is at the same time one of the most satisfactory and beautiful. The total cost of this building with the improvements which have been made upon it now amounts to about \$3,400,000.

During this same period our two very beautiful Capitol extension buildings have been completed and occupied. These buildings were first authorized by a bond issue ratified by the voters of the State in 1914, to be placed on a site purchased and donated by the city of Sacramento. War conditions interfered with the prompt construction of the buildings, but the plans were finally approved in 1920 and construction was commenced in 1922. Construction, however, was very slow, a new bond issue was found necessary, and the buildings were pushed to completion and occupied only during the last three or four years, the total cost approximating \$5,400,000. These buildings, together with the Public Works Building which during this same period was acquired by the State on very advantageous terms, now house all the governmental activities in Sacramento which until two or three years ago were forced to occupy rented quarters in various portions of the city.

In addition to our new State buildings in Sacramento, we are also making provision for those State agencies which are of necessity located in San Francisco and Los Angeles. By a vote of the people, bond issues have been provided for buildings in both these cities, the one in San Francisco having been completed in 1923. This building, however, proved too small, and through legislative appropriation in 1929 two new wings have been provided and are now nearing completion. Meanwhile, at Los Angeles during the past year, the board of supervisors finally agreed upon the site which they should donate to the State, and work has commenced upon a very beautiful twelve-story building, situated, as was the case in San Francisco, within the Civic Center of the city. The completion of this building will be of very great importance, since the lease for its present rented quarters will soon expire, and the advanced rentals to the State would have been almost prohibitive. Thus one of the most satisfactory accomplishments of the past few years has been the housing of all State's activities in its own carefully designed State buildings.

INVENTORY OF STATE PROPERTY.

One of the most interesting pieces of work which has been completed within the past two years has provided the State with its first complete inventory of all State property, including a permanent historical record of all State buildings with the exception of those under the control of the University Regents. This record includes photographs, uniform in size, of the buildings and plants owned by the State, a descriptive and historical account of each, together with an account of all alterations and additions thereto. As new buildings are constructed or old buildings enlarged or remodeled, a record of the additions or changes is immediately placed in the loose-leaf volumes containing other records of the institution, thus enabling the State Department of Finance to maintain a continuous and continuing uniform record of all the State's property—property, by the way, in which, exclusive of such items as the university and the highway system, the State has invested more than \$100,000,000, and undoubtedly has a present value of twice that sum.

The State maintains this close check, not only on its buildings but also on its building equipment. The Finance Department maintains a property auditor, whose business it is to keep an exact account of the furnishings and equipment of all buildings, to make frequent visits to all State institutions and other agencies and report on the care and use each is making of State property, and to ascertain and report on surplus equipment wherever it may be found, in order that it may be renovated and made available for other institutions where such equipment or furnishings are needed and can be economically or appropriately used. In this way, no single article of State property is discarded until it is actually worn out, and very many thousands of dollars are saved each year through the care thus exercised by this particular agency of State government.

TEN-YEAR HIGHWAY PROGRAM.

Just as we have evolved a ten-year building program for our various State institutions, so have we also worked out a ten-year program for the State's highway construction. There are at present 6590 miles in the California State highway system. Of this mileage, 4287 miles represent primary roads running the length and breadth of the State or connecting this with other states, and 2303 miles are secondary roads, more localized in character and joining the important centers of one county with those of another. The primary roads are somewhat equally divided between the northern and southern ends of the State. In the secondary roads, however, there is a wide discrepancy, 1778 miles being located in the north to 525 miles in the south. This discrepancy arose in the early stages of the creation of our highway system, when through all too careless legislation or constitutional provision new roads were incorporated into the system.

At the beginning of the last legislative session a bill was introduced for the inclusion into the secondary highway system of some six hundred miles of road in southern California. From one aspect this bill had much to commend it, since there

was no doubt that a considerable secondary mileage should be added in the south to rectify the discrepancy of mileage in the original secondary system. From another aspect, however, a bill of this kind was very dangerous, since it would furnish a precedent for resuming the old method of adding to the highway system through the inclusion of so-called legislative roads—roads created by bills passed through the Legislature, frequently merely as a personal favor to the one who introduced the bill, and always without any adequate study as to the value of the road to the State system as compared with others for which a far greater need might exist.

The particular danger of any legislation seeking to add new roads to our highway system, before a study had been made of the necessity, location, and feasibility of such roads, lay in the fact that it would overthrow a principle firmly established throughout the present administration. This principle was set forth so definitely in my message of two years ago that I shall repeat it here:

At this time it will be necessary to establish some policy relative to the inclusion of roads within the State highway system. * * * No governor should be asked or expected to sign a bill providing for the extension of the State highway system, except upon recommendation of the Department of Public Works—a recommendation in its turn based upon a careful study of traffic requirements and highway use, in line with the broad general policy of long-time planning. Any other course will break down our program of highway construction, and will savor of political expediency rather than of safe and business-like procedure. Whatever policy may be adopted must be based on traffic pressure and not political pressure.

NO ADDITIONS EXCEPT AFTER STUDY.

In conformity with this recommendation, and on the positive assurance that I would veto any bill for addition to the highway system until a previous engineering study and recommendation should be made by the Public Works Department, neither this blanket bill for southern California secondary roads, nor any other road bill for any section of the State, was pressed in the 1929 Legislature, just as no bill had been pressed in 1927. I can not too strongly recommend to this and all succeeding Legislatures that this policy be strictly observed, for if the door is once opened by the admission of a single unrecommended road into the State highway system, scores of other such roads will speedily follow, and an impossible burden will be placed on the system which will inevitably break it down.

Recognizing, however, the unjust disproportion of secondary mileage as between the northern and the southern portions of the State, on March 12, 1929, I transmitted a message to the Legislature recommending that it pass a resolution directing the California Highway Commission and the Department of Public Works to make a study and survey of the problem to determine what roads should be added to the system, and also recommending that the existing discrepancy be relieved by "the addition of three or four times as much mileage in the south as in the north." A week later this requested resolution was passed by both houses, and the proposed survey and report has since been made, thus carrying out the policy and establishing the precedent upon which the administration had insisted, "that expert study by State authorities must precede, rather than follow, the inclusion of roads into the State highway system."

As a result of its survey, the Department of Public Works has recommended that at this legislative session 804 miles of road be added to our secondary highway system. Five roads, comprising 174 miles are proposed for northern California, increasing its total to 1949 miles, and seventeen roads, with 633 miles, are proposed for southern California, making its total 1158 miles. I have respectfully requested my successor to incorporate this recommendation in his forthcoming budget. If this is done and the budget is adopted, the State's secondary highways will then comprise 3107 miles, while our entire highway system will total 7394 miles.

HIGHWAY COSTS AND REVENUES.

In its year and a half of study to determine upon these new secondary roads, the Department of Public Works considered not only engineering possibilities and traffic necessities, but also went very thoroughly into the estimated cost of these proposed highways for rights of way, grading, paving, surfacing, and structural work of all kinds. For all these, the total estimate over a ten-year period for the proposed 804 miles of new highway amounted to \$50,970,810. In order to forecast the possibility of meeting this necessary cost the department went still further, and made a careful estimate of the probable cost of our entire highway system over a period of ten years, as well as an estimate of anticipated revenues during this same period. Thus in highway as well as building construction, the present administration is enabled to hand on to its successor a definite suggested program.

Without presenting the department's figures in too great detail, I shall merely quote \$343,565,906 as the estimate for so completing our existing highways as to give adequate service by July 1, 1941, the end of the ten-year period. Adding to this the \$50,970,810 for the proposed new roads, and assuming no other roads to be added during that period, the total ten-year cost would be \$394,536,716. During this same period, the anticipated available revenues, reckoned on our present laws

providing for gas tax, license receipts, motor bus franchises and federal aid, with a carefully estimated percentage of increase in each of these from year to year, would total \$422,015,334. Deducting from this total revenue the estimated cost of maintaining present State highways and recommending additional roads, the cost of administration, and State aid to joint highway districts, the balance available for actual construction, reconstruction and rights of way would amount to \$320,352,751, thus failing to meet the necessary expenditures by over \$14,000,000. This, it seems to me, should be a sufficient answer to those who desire to see our highway system completed, and would at the same time suggest the diversion of highway funds to other governmental expenditures. By retaining all our highway revenues for highway purposes, within the next ten years California should have a highway system which will surpass any other in any part of the world.

TOLL BRIDGE PROGRAM.

Although the greatest strides in California highway construction have been made during the past four years, nevertheless a period of twenty years has elapsed since the actual beginnings of our highway system. Meanwhile one necessary feature of that system remained almost totally neglected. I refer to the link across our larger rivers or arms of our bays which should normally join the ends of the highway on opposite sides of these waterways. For a long time in California, as elsewhere, this service was performed by the ferryboat, but as the number of automobiles on the highways grew greater and greater, it became more and more nearly impossible for ferries to supply this need without a too severe curtailment of travel. For example, only four years ago the motorist from Sacramento to San Francisco depended upon the ferry across Carquinez Strait; and, although he realized that his journey was often slowed up by waiting for the boat, he did not fully realize how greatly travel was restricted through the ferry handicap. Yet today the stream of cars which frequently pass over the Carquinez Bridge would have taxed a ferry far beyond the limits of its capacity.

This meant the necessity of bridges; and inasmuch as the cost of these larger bridges was too great to be borne by any one highway route, or even by the entire highway system, it also meant toll bridges. Here was presented an opportunity upon which bridge engineers, bridge fabricators, and bridge promoters were quick to seize, and in certain states the number of private toll bridges became very considerable. This was a perfectly legitimate enterprise, but it was also a very expensive enterprise as far as the traveling public was concerned. The cost of financing, building, and maintaining such a private structure was frequently from one-fourth to one-third more than a well managed public structure would cost; which meant a correspondingly longer time before it could pay for itself and be turned over for free and unrestricted public use.

FORMER TOLL BRIDGE LAWS.

In California we were further handicapped by an archaic law governing the construction of private toll bridges, which placed the authority for such construction entirely in the hands of the board of supervisors of one of the counties adjacent to the waterway to be spanned; while an ill-considered legislative act further postponed the ultimate free use of the bridges by doubling the time of their possible franchise. Accordingly the State administration at the last legislative session presented four measures, the passage of which has entirely changed the toll bridge situation in California.

The first of these measures repealed the law by which for nearly fifty years the jurisdiction over private toll bridges had been vested with boards of supervisors, while the second transferred this jurisdiction to the State Department of Public Works. The third bill provided for a "bridge authority," consisting of the Governor, Lieutenant Governor, Director of the Department of Public Works, Director of the Department of Finance, and Chairman of the Highway Commission; and provided that this bridge authority shall direct the Department of Public Works, as a policy of the State, to build, acquire and own all toll bridges situated upon or along any part of the highways of the State. It further provided that the Department of Public Works might pay for these bridges through revenue bonds to be retired by tolls received from their operation, "with the end in view of ultimately eliminating all toll charges thereon."

THE BAY BRIDGE.

The fourth bill specifically authorized the "bridge authority" to lay out and construct a highway crossing from the city of San Francisco to the county of Alameda, to be entirely paid for by the issuance of revenue bonds retired by tolls received for passage over such bridge, or "highway crossing." Thus began the first real solution of the problem of a transbay bridge, a problem which has been under discussion for many years. However, definite conclusions had thus far been impossible, partly because of federal antagonism on the part of the War and Navy departments, and partly because of the lack of sufficient information as to feasible routes, especially as to foundation conditions to be encountered in the bed of the bay.

In order to obviate the first of these difficulties, it seemed wise to take the federal government into our confidence, in order, if possible, to make it an ally rather than

an antagonist. Fortunately President Hoover, with his clear understanding of California needs, was disposed to be very helpful; and after a conference it was agreed to name a joint Federal-State Commission, which should correlate the needs of East Bay traffic with the requirements of national defense and the interests of navigation. President Hoover named upon this commission Rear Admiral L. E. Gregory and W. H. Standley of the Navy, and Brigadier General G. B. Pillsbury and Lieutenant Colonel E. L. Daley of the Army. As State appointments I named George T. Cameron of San Francisco and Senator A. H. Breed of Oakland to represent the business interests of each side of the bay, and for their professional ability Prof. Charles D. Marx of Stanford University and C. H. Purcell, State Highway Engineer. Mr. Mark L. Requa was named as chairman by joint Federal and State appointment.

SURVEY OF PROPOSED ROUTES.

One of the first acts of this commission was to request the Department of Public Works to make a thorough engineering, economic, and traffic study of the problem, and to furnish the commission with all data for the purpose of determining the relative value of the several proposed locations. A survey of the area of the bay between San Francisco and Alameda County was accordingly made, including a large number of borings to determine the general characteristics of the foundation conditions to be encountered. At the same time a traffic study was undertaken to determine the origin and destination of both automobile and commuter traffic, characteristics of traffic flow, economic feasibility of paying for the bridge through tolls within a reasonable length of time, and a comparison of the time and distance necessary for crossing the bay by the present ferries and by a bridge at each location proposed. Funds for this work were provided by the city of San Francisco and the State.

As a result of these investigations of all five proposed routes, the commission unanimously recommended a high level bridge from Rincon Hill in San Francisco, over Goat Island, and to the Key Route Mole in Alameda County. They incorporated in their report certain restrictions as to minimum vertical and horizontal clearances, both from an engineering and economical standpoint and from the standpoint of probable Army and Navy requirements. The estimated cost is \$72,000,000 and the estimated revenues are such as will permit a material reduction in present ferry tolls, and pay for the bridge so that it shall be toll-free in less than twenty years.

As chairman of the California Toll Bridge Authority, on November 6, 1930, I called a meeting of this commission. At this meeting a resolution was passed directing the Department of Public Works to make the necessary surveys and prepare the plans, specifications and estimates for such bridge to be constructed under the provisions of the legislative act. The Division of Highways is now engaged in further drilling, preparatory to filing a permit with the War Department. After this permit has been approved, the necessary steps for financing and completion of plans should be taken.

CALIFORNIA'S WATER PROBLEM.

In the semiarid State of California, with the normally abundant winter rainfall in its hills and mountains and the long dry summers in its fertile valleys, no one problem is of such transcendent importance as the proper conservation and utilization of our water resources. The complete agricultural development of the State is possible only through irrigation, either by surface water carried to the land by our rivers and irrigation canals, or by underground waters, once readily available through artesian flow or from shallow wells, but now secured only by the expensive process of pumping from a rapidly receding water table. The pumping of underground waters is becoming so expensive, due to the growing depletion of our underground supplies, that agriculturists in many sections of the State are facing a very hazardous future.

Meanwhile, during the winter and spring months, the Sacramento, San Joaquin and other large rivers of the State discharge into the bay and ocean an immense volume of water, every drop of which will be of potential value to agriculture when the ever-increasing population of California demands the augmented production which is only possible through a large expansion of our agricultural activities. Just at the present moment we should probably hesitate to extend to any great degree the area of intensive agricultural operations, but there are certain sections of the State where highly improved orchards will die unless additional water can be supplied, and in all sections the inevitable growth of California will tax our available water resources in the not distant future.

FIRST ATTEMPTS AT SOLUTION.

Faced by these conditions, for the past ten years California has been engaged in investigating its water resources and seeking to develop a plan for the conservation and maximum economic utilization of all its waters. A partial plan was presented in its engineering aspects to the Legislature of 1927, but since it was lacking in economic considerations, its further study was entrusted to a joint legislative committee appointed at that session. Meanwhile, more than four years ago it had been my privilege to discuss this problem with Mr. Hoover, then Secretary of Commerce, who urged upon me that as soon as I assumed the office of Governor, I should get in touch with President Coolidge with the object in view of enlisting the interest of the federal government in California's water resources problem.

I was not in a position to follow out this advice in 1927, for the reason that the Legislative Water Committee was very seriously engaged upon its task, and I felt that it would be unwise to embarrass its operations by entering upon a course at variance with the plan it was maturing for the solution of the problem. As a result of the Legislative Water Committee's labors, a constitutional amendment calling for a bond issue of \$125,000,000 was presented to the Legislature of 1929, but failed of passage. Very probably, even if it had passed the Legislature, it would have failed when presented to the people, for with the comparatively small amount of economic study given the project, it is extremely doubtful that the voters would have sanctioned a bond issue of such magnitude.

FEDERAL-STATE COMMISSION ORGANIZED.

The failure of this constitutional amendment presented the opportunity of carrying out the plan I had discussed with Mr. Hoover more than two years before he became President, and the result was a bill, chapter 561 of the Statutes of 1929, providing for a State Water Resources Commission to cooperate and confer with any such commission as might be designated by the President of the United States, and with the Legislative Water Committee, which was continued by the 1929 Legislature to further study the problem. President Hoover appointed the following federal officers to serve on this Commission, known as the Federal-State Water Resources Commission, to confer and cooperate with the California members appointed by the Governor of California: Lieut. Col. Thos. M. Robins, Corps of Engineers, U. S. Army, San Francisco; Dr. Elwood Mead, Commissioner of Reclamation, Washington, D. C.; E. E. Bonner, Executive Secretary, Federal Power Commission, Washington, D. C.

After serious thought and thorough investigation of the qualifications of men best suited to make the study of this intricate and far-reaching problem, the following were selected by me to serve as members representing California on this commission:

Dr. George C. Pardee, Chairman, Oakland,

William Durbrow, Grass Valley,

B. A. Etcheverry, Berkeley,

Alfred Harrell, Bakersfield,

W. B. Mathews, Los Angeles,

Warren Olney, San Francisco,

E. E. Weymouth, Los Angeles,

Wm. J. Carr, Pasadena,

Bert B. Meek, Sacramento.

Of these members of the committee, the last two are ex officio, Senator Carr being a member of the Railroad Commission, while Mr. Meek is Director of the Department of Public Works.

The Joint Legislative Committee appointed by the 1929 Legislature for carrying on these studies has met jointly with the Federal-State Water Resources Commission in discussion of this problem, the solution of which is entrusted to the commission and this committee. The membership of the committee is:

Van Bernard, Assemblyman, Fifth District.

B. S. Crittenden, Chairman, Assemblyman, Nineteenth District.

Robert P. Easley, Assemblyman, Eighteenth District.

Frank W. Mixter, Assemblyman, Thirty-fifth District.

Edwin A. Mueller, Senator, Fortieth District.

H. C. Nelson, Senator, First District.

Will R. Sharkey, Senator, Ninth District.

Ralph E. Swing, Senator, Thirtieth District.

This was the first approach which had been made to the federal government either for financial participation in this great project, or even for consent to undertake the proposed works affecting flood control and navigation, both of which are under federal supervision.

Events have since disclosed that I was justified in this action, as it has become apparent that no plan could be a success without the cooperation of the United States, and that certainly its cooperation in the study of the problem was essential if financial participation of the federal government is to be secured.

WORK OF THE COMMISSION.

Early in January, 1930, the federal members appointed by President Hoover and the State members appointed by myself met and organized under the chairmanship of former Governor George C. Pardee. At the earlier meetings appearances were made by individuals and organizations representing various interests of the State, on which occasions the nature of the water problems and the needs of the various sections were explained. Later meetings have been given over to a discussion of the State-wide plan for conserving our water resources, their utilization, the economic aspects of the problem, the legal procedure necessary and the probable methods of financing construction.

Upon assuming membership in the commission, Colonel Robins, representing the War Department, took an active interest in the subject, and has personally directed exhaustive investigations from the flood control and navigation standpoint of the Sacramento and San Joaquin rivers and upper San Francisco Bay. Particularly intensive investigations have been made by the War Department relative to the

proposed salt water barrier and its effect upon navigation and flood control. The value to the federal government of the great storage project proposed in the Sacramento watershed as well as navigation values on the San Joaquin River, is being studied by the War Department.

Dr. Elwood Mead, commissioner of the United States Reclamation Service, attended an early meeting of the commission, and immediately arranged for a cooperative investigation between the United States Bureau of Reclamation and the State Department of Public Works. This investigation has been carried on actively and is approaching conclusion. It is hoped that federal participation in the project on the basis of interest-free money may be justified, and the report of the United States Bureau of Reclamation will be enlightening. The by-product of hydroelectric power will be of considerable importance in the State-wide plan, and the value of this power is therefore an item of magnitude. The Federal Power Commission has undertaken a study of the probable value of hydroelectric energy that would be generated at the main units under the plan.

The Department of Public Works is now completing its engineering studies on the State-wide plan as explained in another section of this message, and these data have been put before the commission and Joint Legislative Commission as rapidly as available by the State Engineer. With the engineering, economic, legal and financial data before it, the commission has made a study of all angles of the proposed water plan to determine its true economic feasibility, and, if found feasible, will offer plans for financing and methods of execution.

METHOD OF FINANCING.

The values resulting from the execution of the State Water Plan will be so far-reaching that many interests besides the landowners should participate in the costs. Metropolitan areas, the State, and the United States will benefit from increased commerce, markets and taxable wealth. The federal government has a particular interest in navigation, flood control and reclamation. In accordance with the policies established in the Boulder Canyon Project Act, the State should seek both federal financing at a low interest rate and interest-free funds where compatible with national policies. The State could properly guarantee payment to the United States of interest and principal as due, and the works, after construction, should be owned and operated by the State.

The report of the commission, based upon the results of studies made by the federal agencies represented and the State Engineer's office of the Department of Public Works, will shortly be made available. In conjunction with the legislative committee referred to above, it is expected that the report will deal with all phases of the proposed water plan. The joint board as now composed consists of more than twenty of the best qualified engineers, legislators, lawyers, financiers and business men in the State. They are men of great experience, wide vision and sound business judgment, and with full data upon which to base their conclusions, their report will stand as a landmark for the State to follow in the all important development and conservation of its water resources.

CALIFORNIA CONSTITUTIONAL COMMISSION.

The history and evolution of the California State constitution have received much attention from students of constitutional law, both in California and elsewhere. It is generally admitted that it presents a wide departure from the ideal foundation for a republican form of government. The chief feature which makes it unsuited to such a government arises from the fact that it is primarily a very rigid limitation of the powers of the Legislature, rather than such a grant of powers as will promote simplicity and directness in legislative action.

This fundamental characteristic can be clearly understood only when the history of the original form of the present constitution is considered. It superseded a constitution designed to meet the peculiar conditions which faced the people of California in 1849. The history of our State is unique, in that it passed through no period of territorial government during which the desires of its people could properly crystallize in the form of fundamental organic law. Derived from the councils of a strangely assorted group of individuals whose background represented practically every factor in contemporary political thought, the constitution was constructed on a compromise basis to meet the special problems of the day.

The present constitution which displaced that of 1849 was framed in a period of unrest, suspicion and factional strife. It was deliberately designed to limit the powers of all the agents of representative government. Because of this restrictive design, scores of provisions which clearly belong in the field of legislative enactment have been necessarily injected into the constitution by amendment. The restriction on the Legislature was so great that in many important fields laws could not be passed without constitutional amendments specifically permitting their enactment. Under such circumstances it is not strange that very frequently the desired law as a sort of short cut was adopted directly into the constitution itself.

As a consequence our constitution is no longer an instrument of organic law, but has come to include, as the greater proportion of its matter, enactments essen-

tially legislative rather than fundamental. Moreover, these enactments in many cases were adopted to meet local or temporary needs, but by incorporation in the constitution become permanent, inflexible, incapable of adjustment to changing conditions.

A MUCH AMENDED CONSTITUTION.

Since its adoption in 1879, the constitution, which was so detailed that even at that time it was referred to as merely "a code of law," has been amended by the incorporation of a very large number of added provisions. During the fifty-one years of its existence 173 amendments have been added, out of 292 submitted to the voters. This is in sharp contrast to the federal constitution, to which there have been added only nineteen amendments since the original Bill of Rights was adopted one hundred and forty years ago. It is almost universally agreed that all but a very few of these amendments could have been better fitted to the needs of the State if they could have been made the subjects of legislative enactment under a proper constitutional assignment of such power. If it had been desired to safeguard any of these laws from too easy change by the Legislature, this could easily have been done without making them actually a part of the constitution.

When in 1879 the people framed a constitution which so limited the Legislature in the exercise of its powers, the device of a referendum was unknown. At present if the Legislature passes a law which a sufficient number of people deem unwise, it is not difficult to prevent it from becoming operative until and unless the voters register their approval. Accordingly whatever reason there may once have been to tie the hands of the Legislature, does not prevail to anywhere nearly the same degree in these days of direct legislation. Accordingly for a long time there has been a desire to secure a new constitution, more along the lines of the federal constitution, with a broad grant of powers to the Legislature rather than a limitation and denial of powers.

The people of the State, however, have no less than three times declined to authorize a constitutional convention. We can not assume that this reflects an opinion that the present constitution is satisfactory. It seems more likely to reflect an unwillingness to launch even such a carefully chosen group as would compose a constitutional convention upon the task of general revision, without some preliminary study and advice as to the course such a revision should take.

The defeat of these proposals for a constitutional convention has heretofore prevented any concerted study of the problem. Accordingly in my message of two years ago I asked "your consideration for a measure providing for a far-sighted study of our need for constitutional revision." Your favorable response to this request made possible such a study for the first time. Through what I believe was ill-advised action, a proposal for a constitutional convention was also again submitted; but the people fortunately rejected this, giving a right of way to the necessary preliminary study.

INSTRUCTIONS TO COMMISSION.

The California Constitutional Commission thus established was authorized and directed to investigate and report upon the need for revision of the present State constitution. In its investigations, the commission was directed to examine the constitution of the State and those of other states of the Union and to make a careful study of the need for such revision. The commission was further directed to submit to the Governor for transmission to the next session of the Legislature a full and complete report of its investigations and findings (including a draft of a model constitution), and also its recommendations as to the need of a constitutional convention to effect such revision.

The act creating the commission provided for a membership of fifteen. I took great care in selecting the members of this commission, with a view to securing representation of all the interests possible in both ends of the State. The commission as finally chosen was composed of the following membership:

Newton W. Thompson, Chairman, Alhambra,

John Willis Bæverfjord, Pasadena,
E. W. Camp, Los Angeles,
George E. Cryer, Los Angeles,
George E. Farrand, Los Angeles,
Will J. French, San Francisco,
J. B. Gill, San Bernardino,
John R. Haynes, Los Angeles,

Leslie R. Hewitt, Los Angeles,
Irving Martin, Stockton,
O. K. McMurray, Berkeley,
Chester H. Rowell, Berkeley,
Robert G. Sproul, Berkeley,
Edw. F. Treadwell, San Francisco,
E. A. Walcott, San Francisco.

Since its appointment the commission has labored with great diligence, its frequent meetings occupying in the aggregate more than a month of time. Committees of the members appointed pursuant to the plan adopted at the organization meeting have given much additional time to research and investigation of the numerous problems involved. While no general public hearings have been held, contact has been established with other commissions and legislative committees investigating important questions which necessarily come within the general scope of the work of this commission. Much valuable data was secured and many helpful suggestions received

from similar commissions in other states, municipal research organizations, tax associations and other fact finding bodies.

NEED FOR CONSTITUTIONAL REFORM.

The principal question presented for the consideration of the commission, as clearly appears from the text of the act, is whether there is a substantial need for revision of the present constitution, and if so, how this may best be accomplished. A study of the provisions of that document and the numerous changes incorporated therein since its adoption in 1879, as well as a comparison of these with the provisions of the constitutions of other states, particularly those which have recently been amended, discloses plainly that substantial limitations are still imposed upon the power of the Legislature to pass laws effecting even minor changes without first submitting a constitutional amendment modifying or removing some existing prohibition or limitation.

California's progress and growth in population and wealth, the development of its resources, and the very marked changes in business and financial conditions within the fifty-year period since adopting the present constitution present additional reasons for broadening the powers of its legislative body, particularly as the people through the exercise of their privileges under the provisions for direct legislation may now substantially influence and in fact largely control legislation, if they so desire. Every voter knows from sad experience the large number of proposed constitutional amendments presented at each election, and recognizes that nine-tenths of these are properly matters which a legislature should be permitted to determine.

As a result of the investigations under the direction of the commission, recommendations will be made in its final report, first, to remove many of the limitations now imposed upon the Legislature, retaining, of course, the initiative, referendum and recall; second, to eliminate much of what is really statutory law; and third, to clarify, rearrange and revise, in more simple and compact form, the provisions retained in the constitution.

POSSIBLE METHODS OF REVISION.

The work of the commission is, of course, of a preliminary nature. Its aim has been to present for future consideration and action suggestions and recommendations which may be of substantial assistance in finally solving the manifold problems presented by a proposed revision of the constitution. The commission's findings and recommendations may be brought before the people in either of two ways; first, by submitting them to a constitutional convention, if the people finally authorize such a convention to be assembled, in order that in this way they may finally reach the voters; or second, by presenting them directly to the voters through action of the Legislature. This latter proposition may seem somewhat revolutionary, but I believe that it is worth considering.

It is highly probable that groups of separate proposals for constitutional changes, if submitted by the Legislature after due consideration, would stand more chance of adoption by the people than would the compromise propositions almost certain to emerge as a result of a large constitutional convention. By such direct legislative action there can be achieved to the satisfaction of the voters most of the benefits which could result from the work of a constitutional convention. In this way may be avoided the jeopardizing of all possibility of needed constitutional changes, either through another rejection of a convention proposal, or the subsequent rejection of any new constitution such convention might propose, through dissatisfaction with certain of its provisions.

At any rate, I believe that the report of the California Constitutional Commission when finally submitted to you will really repay your study; and if as a result of this study you work out some method of presenting to the people a new and simplified constitution, either as a whole or in part, you will have rendered a noteworthy public service.

COMMISSION ON COUNTY HOME RULE.

As is indicated throughout this message, a great deal has been done in California toward modernizing and improving our inadequacy of State government. Likewise much has been done in this and other states in the way of securing better and more efficient forms of government for cities. On the other hand the county, the third political unit of government, has been singularly neglected. Its governmental framework has long been outworn and antiquated. It is the only area of government or administration without a chief executive for the coordination of its functions and activities. Such a matter, for example, as fixing the salaries of county officers and their deputies, or determining the number of deputies a county office shall have, is entrusted to the State Legislature, the one body which knows nothing whatever about it, but which most gravely goes through the motions of making laws for the internal administration of each of California's fifty-eight counties.

Some twenty years ago a constitutional provision was adopted by which counties might provide charters for their own self-government just as is the almost universal custom in the case of cities. Unfortunately, however, the proper form of charter seems never to have been devised, and only some half dozen counties have availed themselves of the opportunity. Meanwhile, though many earnest and able men have

been serving as officials and supervisors in our various counties, they have been so hampered by the archaic form of county government as to render them unable to produce results commensurate with their endeavors.

In order that a thorough study of this problem might be made, on the recommendation contained in my message of two years ago, the California Commission on County Home Rule was created by an act of the Legislature of 1929 for an "investigation of the general subject of local government by counties, and particularly of examining into any and all matters pertaining to the subject of home rule and local autonomy in county government, including a study of county government and county charters in this and other states." The commission was asked especially to study the relation of the Legislature to the fixing of salaries for county officers and the creating of deputies in the various offices. The report of the commission will be presented in January, and is earnestly commended to your attention.

PERSONNEL OF COMMISSION.

The commission consists of Jonathan S. Dodge, Pasadena, formerly supervisor of Los Angeles County, chairman; R. W. Blackburn, Thermal, president of the California Farm Bureau; Thomas M. Carlson, Richmond, formerly member of the State Legislature; Edwin A. Cottrell, executive head of the Department of Political Science, Stanford University; John N. Edy, city manager of Berkeley (formerly chairman until his resignation in June); William C. Jerome, Santa Ana, auditor of Orange County; William J. Locke, Alameda, executive secretary of the League of California Municipalities; Samuel C. May, Berkeley, Department of Political Science, University of California; Frank J. McCoy, Santa Maria, Board of Education and Planning Commission, Santa Barbara County. Fred B. Wood, Legislative Counsel, acted as secretary.

Meetings of the commission have been held at Sacramento, Berkeley, Chico, Riverside, Yosemite National Park with the State Association of Supervisors' Annual Convention, Long Beach, Santa Barbara, Monterey, Stanford University, and San Francisco. These meetings were planned to allow a sufficient representation of county officials and citizens from typical counties in California. All counties having home rule charters were visited. Notices were sent to all county officers of the time and place of the meetings and an invitation extended to appear and present their ideas on county government. A questionnaire was sent to all county officers for their opinions on certain fundamental questions of organization and policy in county government. The commission received many excellent suggestions in written and verbal form from county officials, members of the Legislature, and citizens.

The commission has recognized that the whole subject could not be studied satisfactorily in the short time at its disposal. It has attempted to examine all major problems in county government but found it necessary to leave many of the minor technical details of functional operation to future investigation. Its proposals, if adopted, will tend to pave the way to a more comprehensive self-examination of the internal functions of each county. They will reallocate the powers of the local government in its administration of State laws and policies. They will, it is hoped, enlarge the scope of local self-government by bringing the functions of government, in a more scientific and responsive manner, directly to the benefit of the people of each local area. A few changes in the constitution and statutes will enable this increasingly important unit of county government more fully to meet the demands of those whom it is designed to serve.

FEATURES OF REPORT.

The report of the commission will contain a history of the development of the areas, functions, and powers of the counties of the United States and California; the constitutional and statutory powers of counties throughout the country; positions and salaries in county government; discussion of home rule charters for counties; internal administration of county functions; special districts created within counties; county-city consolidation or separation; charts and discussion of the organization of the present county and proposals for its reorganization; charts of the salaries paid all county officers from 1901 to 1929; charts of the costs of State, county, and municipal governments of California from 1920 to 1929; and suggestions for changes in the constitution and in statutes to allow for a wider use of local autonomy in the organization and powers of county government.

Governmental processes are a matter of slow growth. Much time will be necessary to make all the improvements which should be undertaken. A few may come immediately by the exercise of the good sense of the Legislature; some will come through the adoption of home rule charters free from obsolete restrictions; others will be demanded by the people when the pressure of excessive expense and inefficiency becomes more evident, and the traditional resistance to change in governmental procedure is overcome. It is hoped that in the report which the commission will present to you it will be able to point out the essential weaknesses of the past and present, suggest a few modifications for immediate consideration, and, after further study by the Legislature and by the people, stimulate a demand for more substantial changes in the county governments of the State.

CALIFORNIA CODE COMMISSION.

The California Code Commission was created by an act of the Legislature of 1929 under which it was to enter upon a revision of the laws of the State, the work of revision to comprehend:

1. The preparation of a statutory record showing the status and disposition of all acts and parts of acts heretofore adopted;
2. The codification, consolidation, compilation or revision of all statutes in force;
3. The express repeal of all statutes heretofore repealed by implication, held unconstitutional by the Supreme Court of this State, or which will be rendered obsolete by the proposed revision if adopted;
4. Whenever necessary, the correction of errors in form or substance, including such restatement as will best serve clearly and correctly to express the existing provisions of law;
5. The preparation of a report embodying therein, among other things, such legislative measures proposed by it as may be calculated to affect the adoption or enactment of such revision.

By the provisions of the act, the chief of the Legislative Counsel Bureau was designated as secretary of the commission, and the commission was to be composed of nine members. In the selection of the members of this commission and by reason of the work to be undertaken, I naturally turned to the leaders of the legal profession, and accordingly selected the retiring president of The State Bar of California, the president of the San Francisco Bar Association, the president of the Los Angeles Bar Association, and a professor from the Law School of the State University, making up the balance of the membership with leading lawyers from different sections of the State. In making the appointments, I chose four from the north, four from the south and one from the central portion of the State, as he names here listed and the places of residence indicate:

Clark Clement, Lemoore,	Guy R. Crump, Los Angeles,
Perry Evans, San Francisco,	Gerald H. Hagar, Oakland,
A. M. Kidd, Berkeley,	Maurice E. Harrison, San Francisco,
C. L. McFarland, Riverside,	Thomas C. Ridgway, Los Angeles,
Leonard B. Slosson, Los Angeles.	

The commission organized January 2, 1930, with Thomas C. Ridgway as chairman and Maurice E. Harrison and Guy R. Crump, as vice chairmen.

NECESSITY OF CODE REVISION.

The statutory law has long since been recognized to be in a deplorable condition. It consists of four codes and about 21,000 additional laws contained in 50 large volumes of statutes. The actual living law in force is mixed up in these volumes with special, local, private, obsolete, superfluous, unconstitutional, and impliedly repealed statutes. The purpose of compilation, revision and codification has been long under consideration by the Legislative Counsel Bureau. Pursuant to the direction of the Legislature of 1927 a report was made to the 1929 Legislature of the program of statutory revision in California and in other states. This report was published in the Assembly Daily Journal for January 18, 1929. The Legislature, realizing the necessity for such a revision, passed the act creating the Code Commission and the same received my approval.

The commission early decided that nothing short of a page to page examination of every statute from the beginning would accomplish the purpose. This purpose in general terms was to recommend the repeal of all obsolete, inconsistent, unconstitutional and superfluous laws; separate the local, private and special laws; and then present the laws of general scope, now in force, in a compendious and convenient form, properly classified, adequately indexed and cross-referenced.

To compile and revise the four codes and 21,000 statutes, representing the entire statutory output of 80 years of California's existence, is a task of considerable magnitude. The first step to be taken, before entering upon a revision and compilation, was a preparation of a statutory or historical index, in order to ascertain the status and disposition of all acts and parts of acts heretofore adopted. This work has been done by the staff of the Legislative Counsel Bureau under the direction of the Code Commission. The results are represented in over 60,000 cards on file in the office of the bureau, and a tabulation has been prepared from which it can now be ascertained what statutes are still in force and effect.

The commission enlisted the assistance of a committee of 100 members of the Los Angeles Bar Association, to read the volumes of the Appellate Reports, so as to prepare a list of all statutes which have been declared to be unconstitutional. A like committee of 100 members of the Alameda County and San Francisco Bar associations was enlisted to make a like examination of the Appellate Reports, so as to prepare a list of all statutes declared by the Supreme and Appellate courts to be repealed by implication. The commission, through the State Bar of California and through the local bar associations, presented its problems to the entire bar and asked for suggestions in connection with the work of revision and compilation, and such request met with a ready response from the bar of the State.

SUGGESTIONS BY COMMISSION.

The commission has decided that the laws should be classified according to subject matter. Accordingly, a tentative list of titles, under which all of the laws can be classified, has been prepared. Among these titles there will be retained a Civil Code, a Code of Civil Procedure, and a Penal Code. As an example of what may be done in the classification of laws according to subject matter, the commission has prepared a Probate Code, in which the laws relating to wills and the administration of estates have been gathered together under the title of Probate. A preliminary draft, prepared by Mr. Perry Evans of the commission, was submitted to judges and lawyers, from whom numerous suggestions were received. The same was revised and finally approved by the commission and will be submitted to the Legislature for adoption.

Many advantages are expected to flow from a compilation and revision of all the laws in the manner outlined by the commission. It is anticipated that there will be a great reduction in bulk, and that the classification according to titles with proper indexing and cross-references, should facilitate reference to the existing laws and save much time and labor to laymen, lawyers and to the Legislature. With all the laws in comparatively simple form, legislation can be directed systematically; new legislation can readily be fitted into the general plan; defects can be more readily perceived; and a revision that may be necessary to improve and modernize some branches of the law can be carried out intelligently. The powers of the commission were limited to a restatement of the existing law. When this has been completed, the work will never have to be done again, and succeeding code commissions can start with the laws as restated, and devote themselves to the broader and never-ending task of modernizing the law to adjust it to the varied and ever-changing social conditions.

The commission recommends that the work initiated be carried to completion by a Code Commission, that an appropriation be made for such purpose, and that a committee of the Legislature be appointed with which the commission may advise from time to time, as problems arise between sessions of the Legislature, so that the work of such a commission may reflect legislative thought and policy.

IRRIGATION AND RECLAMATION FINANCING.

Agricultural district formation reached its peak in 1920 during a period of general optimism as to the future, and, under the abnormal conditions then existing, communities turned to organized agricultural district development as the only practical method of financing. It is not surprising, therefore, that the organization of new districts increased rapidly, nor was it other than natural that some of them were unable to withstand the stress of the deflation period which followed. The confidence of the investing public in these securities is shaken and the ability of even sound districts to finance through the sale of bonds under existing conditions is seriously impaired.

With this situation in mind the last Legislature passed the act which I requested creating this commission, the personnel of which is as follows: Will C. Wood, chairman; Edward Hyatt, secretary; Charles L. Childers, W. P. Jeffries, Fred W. Kiesel, Charles E. MacLean, U. S. Webb, and Harmon S. Bonte, consultant to board. The commission was authorized to report upon the entire subject of financing and refinancing irrigation, reclamation and other public improvement districts in agricultural regions, together with the history and present status of such districts, and to make recommendations for amendments or improvements in the law and methods of handling their financing and refinancing.

In seeking to appraise existing legislation in relation to the various districts under consideration, it was necessary not only to analyze the plight of the landowner and the security holder, but also to examine the pertinent facts in order to determine the basic causes leading to the situation warranting this investigation. In order that the commission might benefit by suggestions and criticisms from those familiar with existing conditions, hearings were held at various points throughout the State. Basic data upon each irrigation and reclamation district were obtained and causes leading to default and methods of refinancing were carefully analyzed. From this testimony and study it became evident that the State should assume an active and direct interest in the solution of irrigation and reclamation district problems.

IMPORTANCE OF THIS WORK.

The State is vitally interested in the credit standing of its subdivisions and its districts. It is also interested in the continued improvement of lands within these districts by individual owners. Capital for such improvement naturally will be advanced only when titles to real estate in the district are unassailable and unimpeachable, and not subject to varied and conflicting liens consequent upon default in the payment of bond principal and interest. The State can not without loss to itself stand by and see the morale of communities broken, settlers dispossessed of their lands, and creditors suffer severe losses, largely because there is lacking the machinery necessary to bring about an adjustment of the status of debtors and creditors.

Whereas irrigation, reclamation and other agricultural district laws are generally sound, some changes and amendments are necessary. The commission proposes the

establishing of a State agency with broad and varied powers to assist in the conduct of the affairs of these districts. Among other duties this agency should assume the functions of the present Irrigation Certification Commission, and should be empowered to require annual physical, financial and economic reports from districts and to aid in handling defaults and refunding programs that may avoid default. The commission is also recommending that this agency, when established, shall be given a reasonable State appropriation in order that it may perform its functions. Legislative attention will be recommended to the existing statutes where district operations have exposed weaknesses. I am transmitting to the Legislature the commission's report, and trust that the necessary legislation may be forthcoming.

It is hoped by this suggested legislation that the following general aims will be accomplished:

- (1) Stem the steady depreciation in the credit standing of this type of security;
- (2) Reinststate the individual borrowing power of the landowners within these districts; and
- (3) Restore the confidence of the investing public in these securities.

STUDY OF EDUCATIONAL PROBLEMS.

The California Commission for the Study of Educational Problems was created by an act of the Legislature of 1929 "to investigate the educational, geographical, financial and organizational problems of the public schools" and to report its findings and recommendations to the Governor for transmittal to this Legislature of 1931. Accordingly, inasmuch as this report will soon be placed before you in detail, I shall here touch upon it only in its broader outlines.

By the provisions of the act authorizing the commission, it was to be composed of nine laymen. In its selection, care was taken to choose men and women of different occupations and interests who come from different sections of the State, eight counties being represented in the nine appointments, as the names here listed and the places of residence indicate:

Mrs. Susan M. Dorsey, Chairman, Los Angeles.	
Arthur J. Brown, San Bernardino,	Mrs. Maynard Force Thayer, Pasadena,
Marshall DeMotte, Corning,	Mrs. Frederick C. Turner, Berkeley,
Samuel Leask, Santa Cruz,	Julius Wangenheim, San Diego,
James W. Mullen, San Francisco,	Mrs. Julian C. Whitman, San Mateo.

WORK OF THE COMMISSION.

In the course of its investigations the commission has held more than fifty full-day sessions in Sacramento, San Francisco and Los Angeles, besides numerous meetings of smaller groups of the members, who have generously assumed special assignments. The commission's work has been conducted through written inquiries addressed to great numbers of persons in all portions of the State; also through many interviews and conferences with lay citizens on the one hand, such as county supervisors, business men and women, labor leaders and labor employers, agriculturists and the like; and, on the other hand, with educators, such as university professors, county and city superintendents, school teachers, and officials of teacher organizations.

In order to discover what, in the judgment of our lay citizens, constitute the most serious problems of the public schools, the commission sent many thousands of inquiries to men and women broadly interested in civic, social and economic problems; to city, county and State officials; and to many citizens chosen at random from the general voters' list. These inquiries were not of a nature to suggest their own answer, but instead simply asked each citizen to name the three problems of the public school which he deemed most important. The commission informs me that the many hundreds of representative opinions thus gathered have been almost universally characterized by thoughtfulness, common sense, and an earnest desire to aid in perfecting our educational system.

Having thus learned what school problems are uppermost in the minds of our people, the commission has sought to gather complete information as to each of the difficulties involved, to summarize conflicting viewpoints in an impartial manner, and to set forth constructive recommendations for the consideration of the Legislature, school officials and the lay public. An earnest endeavor has been made to make the best interests of the school's ultimate consumer—the child—the keynote of its report.

FIVE GROUPS OF PROBLEMS.

The problems discussed in the commission's forthcoming report are to be ranged in five major groups:

1. Problems of general interest to the layman, which relate more immediately to the student. Topics dealt with under this general heading will include school product; character training; mental hygiene; health examinations; school interruptions; the selection of high school textbooks; vocational guidance; part-time education; accrediting students to the universities; the kindergarten; junior colleges; adult education; regulation of correspondence schools.

2. Problems as to school teachers; an appraisal of present teachers; teacher training; teacher certification; teacher tenure; teacher retirement.

3. Problems as to school organization; reorganization of the State Department of Education; county school superintendents; the larger unit; school attendance.

4. Problems as to school revenues and costs; thirty years of California school costs; school building costs, standards and architecture; bonding versus taxes; sources of school funds; a State Equalization Fund; control of school funds.

5. Problems of a miscellaneous nature; revision of the School Code; insurance of school districts.

The appendix will contain much data in the form of tables, charts, excerpts from the school laws of our own and other states, and special data on various school problems compiled by the commission.

EDUCATIONAL RESULTS AND COSTS.

Finding a much greater public interest in some school problems than in others, the commission has endeavored to accord them particular attention.

The first two chapters of the report deal with two such related problems and are entitled "An Appraisal of the School Product," and "Character Training in the Schools." They summarize current criticisms as to how well the schools have educated our high school graduates, both as to ability and as to character, and suggest remedies for the shortcomings noted. Are our public schools wisely and efficiently training for character development and for the duties of citizenship? Are they failing to meet the practical and cultural needs of their graduates? If the commission can throw light on these questions, even in a small degree, it will have abundantly justified its existence.

As one of its assignments included a mandate "to investigate the financial problems of the public schools," the commission has prepared from the original records at Sacramento an accurate and complete historical presentation of California's school costs for the first thirty years of the present century. The data thus secured is to be printed in the form of tables and graphs so as to be of the greatest assistance to future students of our school problems.

The commission also employed a special staff at Sacramento over a period of two months to compute, tabulate and compile the greater information needed for a second financial survey of even greater scope. This was a study of California's more than three thousand individual elementary school districts, which was made in order to learn how far these school districts vary as to the amount of assessable wealth for each child in the elementary schools, and to ascertain whether in any such districts or groups of districts there exists a financial condition that denies to each child an adequate education.

MISCELLANEOUS SCHOOL PROBLEMS.

The commission hopes to suggest certain basic principles which will be of material aid in formulating a plan for equalizing to some extent support and educational opportunities in the elementary schools. This long standing problem is intricate in itself, and appears to present new complications with every change in method of taxation and apportionment of school funds. Along this line, an attempt will be made to give a fair presentation of the existing status and future possibilities of the much debated subject of a larger unit of school administration, and of its allied subject, the transportation of pupils.

Responses from an inquiry as to public opinion on school matters indicated so much interest in vocational guidance for high school students that this has likewise been treated in a separate chapter. Much criticism has been voiced as to the workings of the Compulsory Part-Time School Law. The commission has devoted particular attention to this problem and prepared a full report on it.

Few school problems are of greater current interest than that regarding the junior colleges. What is their place in the school organization? What should be their future numbers and their scope? How should the cost of their maintenance be divided between the local areas and the State? These and similar questions are discussed at some length.

Much controversy has arisen regarding the present Teacher Tenure Law. The commission has carefully analyzed the conflicting contentions upon the subject and worked out recommendations based upon its analysis of the problem.

A REPORT FROM LAYMEN.

As a group of laymen, the commission has made a special effort to prepare a report so clear, concise and readable, that other laymen, as well as professional educators, may through it come to take a more active and informed interest in the problems of our public schools. Technical language has been avoided, colorful excerpts from significant comments are quoted verbatim; intricate tables, charts and similar matter have been placed in a separate appendix; and brevity has been made the first rule throughout.

As a result of the year's work, the commission has formulated nearly one hundred separate recommendations on public school problems. These are of four types:

1. Those suggesting definite enactments or amendments by the Legislature.
2. Those suggesting definite action by the State Board or Department of Education.
3. Those suggesting definite action by local boards of education and school trustees.

4. Those suggesting general policies on various school matters for all persons interested in the welfare of the schools.

A noteworthy feature of the work of this commission is the fact that as a result of rigid economy it has to date expended less than twenty-five thousand dollars of the fifty thousand dollar fund which the Legislature appropriated for its use.

The advantages of having a careful appraisal made of the work on the public schools by a body of laymen who are independent of the schools for their livelihood, and who, therefore, come to their task with a fresh viewpoint, are so apparent that the Legislature might well consider the advisability of periodically authorizing similar surveys by representatives of the lay public.

CALIFORNIA'S TAX SYSTEM.

Although the study on tax revision during the past two years has been conducted by a legislative committee, nevertheless it is undoubtedly true that much of this study is based upon the very exhaustive report of the California Tax Commission, which actively began its investigations early in 1928 and presented its completed report in March 1929. It is probably true that a more comprehensive and thoroughgoing tax report has never been made in any state; and its tabulated findings as to existing tax burdens must largely form the basis for any modification of our present tax system.

The endeavor to devise a more equitable system of taxation is by no means confined to California. It was my privilege six months ago to attend a Governors' Conference, composed of governors from a majority of the states; and there I found that the matter of chief concern in all these states, as well as all the other states of the Union, was revision of existing tax systems which would more fairly distribute tax burdens. Our own recognition of this problem led to the creation of a Tax Commission, concerning which I spoke of as follows in my message of two years ago:

The California Tax Commission was created in recognition of the fact that the people of the State were demanding a very careful study of our tax problems. It was not because we needed new sources of revenue to provide more money, for we had so cut down expenditures that our existing tax system would apparently supply sufficient revenues for some time to come, with an occasional increase in the gross profits rates of public service corporations. It was rather because certain of these corporations were manifestly being heavily overtaxed, while other larger and more prosperous corporations of the same class were escaping with a clearly insufficient tax burden. It was because real estate, especially in certain counties, was obviously paying more than its fair share of our taxes. It was because we had begun to doubt whether our tax system was, after all, the best and most equitable one.

UNIQUE FEATURE OF SYSTEM.

California's present tax system differs in certain respects from that which prevails in any other state. The main difference consists in the fact that the major portion of our general fund revenues is derived from such public utility corporations as steam railroads, gas and electric companies, telephone and telegraph companies, electric and street railways, and the like. These public utilities pay to the general expenses of State government a certain percentage of their gross receipts. In other words for every dollar of railroad company receipts, 7 cents goes to the support of the State; for every dollar taken in by gas and electric companies, 7½ cents is the State tax; for every dollar collected by telephone or telegraph companies, 5½ cents is exacted; while for street and electric railways, for each dollar in fares 5½ cents was the rate until last November's election, when the voters reduced it to 4½ cents; and so on for the other public utility corporations.

This tax system presupposes that these amounts paid by the public utilities shall, in comparison with the value of their respective properties, produce a tax rate equivalent to that which the ordinary citizen pays on his own property. The Legislature is supposed to revise these rates from year to year for each class of public utilities in such a way as will maintain a uniform tax rate, not only as between the public utilities and the citizen taxpayer, but also as between the various classes of public utilities themselves. Although until 1921 such a revision was made at nearly every legislative session, no change at all has been made since that time. At present it appears clear that to maintain the uniformity desired, one of the most important classes of public utilities should have its rate increased nearly 50 per cent, while a second important class should be increased about 30 per cent. The other classes, it would appear, are paying about the proper rate. Pending the adoption of a new tax system, to make these adjustments would seem to be a primary duty of the Legislature.

It must be borne in mind that in consideration of paying this State tax on their gross receipts, the public utility corporations pay no direct local county or city taxes whatever on their operative property. On the other hand, because the general taxpayer must pay a larger local tax to make up for the lack of local taxes from public utility companies, he in return is relieved from paying any direct State taxes—a situation which prevails in almost no other state. But if State revenues

do not come directly from the taxpayer, from what sources are they derived? An answer to this question should probably form a part of any tax discussion.

TWO CLASSES OF STATE REVENUES.

In California our State revenues naturally fall into two entirely distinct classes of funds. One of these consists of the so-called general fund, out of which come all legislative appropriations for public schools, teachers colleges and university; for the maintenance of our State institutions and prisons; for social welfare, including aid to orphans, the aged and the blind; and for all the numerous other activities supported by State government which are not maintained by special revenues. The total amount of general fund revenues for this biennium is approximately \$132,300,000, and comes from the following sources:

Receipts from public utilities and insurance companies	--- \$82,200,000 00
Receipts from inheritance taxes	----- 23,900,000 00
Receipts from bank and corporation taxes	----- 14,400,000 00
Interest on bank deposits and bonds	----- 4,500,000 00
County support of inmates in State institutions	----- 1,900,000 00
Fees from office of Secretary of State	----- 900,000 00
State land royalties and sales	----- 800,000 00
Miscellaneous general sources	----- 3,700,000 00

Total Revenues for General Fund-----\$132,300,000 00

The other kind of State revenues consists of special funds, some thirty in all, each raised in some special way for a specific purpose and expended for no other purpose. Moreover, there is never any attempt to accumulate these special funds into a surplus. Each is expended for its own purpose as soon as raised; and the more economical the expenditure, the lower may be the automobile tax, license fee, harbor toll, or other means by which the various revenues are secured.

During the present biennium, or two-year period extending from July 1, 1929, to July 1, 1931, the total of these various special fund revenues has amounted in round numbers to \$115,300,000, secured as follows:

Gasoline taxes for highways, including county roads	--- \$68,400,000 00
Various automobile license fees for same general purpose	----- 22,400,000 00
Highway federal aid from U. S. Government	----- 6,900,000 00
Harbor tolls for development of State harbors	----- 6,600,000 00
Fish and game licenses for aid to fish and game	----- 2,900,000 00
Special educational revenues from U. S. Government, etc.	----- 2,200,000 00
Fees for investment regulation, banking, corporations, etc.	----- 2,100,000 00
Agricultural fees for agricultural regulation	----- 1,300,000 00
Miscellaneous, from examining boards, etc.	----- 2,500,000 00

Total Revenues for Special Fund-----\$115,300,000 00

Total Revenues for General Fund-----132,300,000 00

Approximate Total Revenues for Biennium-----\$247,600,000 00

BANK AND CORPORATION TAXES.

Under a law passed in 1910, all banks in California, both State and national, were taxed by the State at a certain flat rate on the shares of their capital stock. This method of bank taxation proved very satisfactory, and no one desired to change it in any respect. However, in March, 1927, two decisions were handed down by the United States Supreme Court which made it evident that this method of bank taxation was in direct conflict with a certain federal law restricting the manner in which national banks might be taxed. It at once became evident that unless a change were made, not a dollar of bank taxes could be collected, and it was also evident that the banks might recover from the State many millions of dollars paid under this illegal system.

After careful study the California Tax Commission determined that there was only one lawful method by which national banks could be taxed in conformity with federal law. What applied to national banks also applied to State banks, since it was evident that special taxation privileges to national banks would of necessity force our State banks to become national. The one possible taxation system which would meet the requirements of both federal and State law consisted in levying a tax upon banks according to their net income—a tax corresponding to the franchise tax on corporations.

This same federal law also imposed another restriction on bank taxes—namely that their rate should be no higher than the rate of taxes on the net income of financial, mercantile, manufacturing, or business corporations. This added restriction of necessity tied bank taxes and corporation franchise taxes together, and necessitated the same law and the same tax rate for both banks and general corporations. After a great deal of study this rate was finally fixed at 4 per cent as a fair figure, although it is lower than the rate in other states having the same system, such as New York with $4\frac{1}{2}$ per cent, Massachusetts with $5\frac{1}{8}$ per cent, or Wisconsin

with 6 per cent. Although the banks might very properly have paid more than a 4 per cent rate, the law forbids them to pay more than other corporations, and it was determined that 4 per cent was as high as many of the smaller corporations could afford.

This 4 per cent rate would have produced as much revenue from banks and corporations as was produced from the former method of taxing these, had it not been for two features of the law which I shall briefly discuss. The first of these has to do with the basic date from which to measure the gains or losses of corporations and the second concerns the so-called real estate offset.

DEPRECIATION AND DEPLETION.

In order to insure the constitutionality of the act, a certain date had to be fixed on which a "fair market value" of all capital assets included in corporate property should be established as a base for computing depreciation and depletion, as well as for computing the profit or loss when such property is sold. The federal income tax law fixed as such a date March 1, 1913, shortly before the federal law took effect. Our State law fixed its date as January 1, 1928, the beginning of the first year for which income was measured by the new law. In the first few years following 1913 certain corporations were able to subtract from their net earnings a sufficient showing of depreciation from the 1913 valuation to virtually wipe out the federal income tax for the first year, and in a lesser degree for the succeeding few years, until all these possible claims for depreciation were exhausted and a tax on the entire income is now paid.

In the case of our State tax we are now passing through exactly the same stage that prevailed as to federal income taxes just subsequent to 1913. The valuation of 1928 is naturally very much higher than that of 1913, and the depreciation from this higher value in certain instances practically wiped out the net profits during the first year of the law's operation. This explains why the same corporation with perfect propriety might have paid a large federal income tax in 1929, and almost no State income tax during the same year. This deduction for depreciation, however, will in most instances be wiped out very rapidly, just as previously occurred in the case of the federal income tax. Meanwhile I think it must be admitted that since, to insure the constitutionality of the law, a date for this revaluation was necessary, the date of January 1, 1928, was a reasonable one. Moreover, this feature of the law, though the cause of a material reduction for the first year, and decreasingly for the next few years, is not in the long run of serious consequence since these reductions will soon be absorbed.

REAL ESTATE OFFSET.

The second feature of the law, or real estate offset, however, is worthy of very careful consideration. We are not legally permitted to tax national banks on their personal property. In order to deal fairly and avoid overtaxation of mercantile corporations and others paying a large local personal property tax, the law permitted this tax to be deducted as a credit or offset against a portion of the State franchise tax. This offset was very carefully worked out by the Tax Commission in order to establish an equitable and uniform tax burden. But when the new law was submitted to the Legislature a sudden demand arose in certain quarters that a similar real estate offset should also be allowed. The Tax Commission and administration earnestly resisted this demand, as giving an inequitable advantage to banks and certain classes of corporations, as being out of harmony with the general tax plan formulated by the commission, and as causing too great a reduction in our revenues.

Nevertheless, in spite of all objections it soon became evident that the Legislature desired to incorporate the real estate offset provision, at least for a two years' trial. Accordingly, rather than imperil the bill as a whole, the administration reluctantly agreed to the amendment, even though it would in certain instances almost wipe out the tax on banks and other corporations. It is estimated that the use of 10 per cent of the real estate taxes as an offset, as finally agreed upon, has reduced our revenues about \$1,500,000 a biennium. The depreciation loss discussed in a former paragraph will soon be automatically wiped out. The real estate offset loss, however, if continued, will increase as time goes on. Whether it shall continue is for the Legislature to determine.

FUTURE OF TAX PROBLEM.

On the whole, this new bank and corporation tax has worked out surprisingly well. It has produced a revenue for the first biennium more than a million dollars greater than was anticipated when the bill was passed, and within a very few years, or as soon as the period of deductions for depreciation is past, it will produce a revenue substantially greater than the former law. Except for the two features I have discussed, it has equalized the burden of corporation taxes, treating large and small corporations alike by exacting a tax on their net incomes, or ability to pay. It has necessarily unfortunately reduced bank taxes too greatly, but until the existing federal law is changed it is the only method of obtaining any bank taxes at all. Moreover its passage has resulted in the dismissal of bank suits for taxes illegally paid, which would have cost the State certainly \$10,000,000, and possibly twice that sum. It has been vigor-

ously criticized in recent campaign propaganda; but as far as I can see it is the only law legally possible, and I can not help wondering what its opponents propose to put in its place. This, however, is only one minor portion of our entire tax problem.

Your legislative committee has been vigorously attacking this tax problem, and I should like to hope that, as a result of its study, a solution may be in sight. The California Tax Commission in 1928 made certain recommendations along this line, and certain of them, such as a reduction of the inheritance tax, were carried out. I trust that the Legislature will sternly repel all attempts further to reduce the inheritance tax, for the reduction of two years ago has made it very just and fair as compared with other states. I was, however, unable fully to concur with the commission in its proposal that public utility corporations should again pay local taxes and that the general taxpayer should again pay an ad valorem tax for State purposes. Possibly this change may sometime be made, but before it is made I should like to be convinced that the net result would be a reduction rather than an increase of the taxes paid by the average citizen.

SUGGESTED NEW FORMS OF TAXATION.

Meanwhile, as I have already said, either permanent or temporary commissions in practically every state in the Union are wrestling with the tax problem. What new sources of taxation can be found which shall in themselves entail no oppressive burden, but which will provide additional revenues in sufficient amount to lighten what is now only too frequently an oppressive tax burden? Shall the new source be a personal income tax, such as many states have already adopted? Shall it be a general sales tax? Shall it be a tax on luxuries? I trust, at least, it will not be a diversion to general purposes of such special funds as are produced by the gasoline tax, which was devised for the specific purpose of highway construction and maintenance, and is carrying out that purpose most admirably.

Whatever plan may be devised by your Tax Committee, or worked out from the thoroughgoing and valuable report of the Tax Commission, I would respectfully suggest that you be very sure of your ground before you act. Tax systems are not built up in a day, and whatever plan is finally adopted must be so well founded that its permanence may be fairly sure. Nothing could be worse than a change merely for the sake of change. And, finally, whether an income tax or sales tax or whatever else may be the final solution, the people of the State should be thoroughly educated as to just what it means before it is submitted to the voters for their acceptance or rejection. The best possible plan once definitely rejected can scarcely win its way again within the same generation.

THE SURPLUS AND THE BUDGET.

At some time or other a major change in the tax system will undoubtedly take place, and when this occurs there will undoubtedly be a temporary falling off in State revenues, just as there has been during the first years of our present bank and corporation tax. It is with this in mind that we have carefully built up our general fund surplus from less than \$23,000,000 at the beginning of my term of office to the more than \$30,500,000 which it will be at the close of this fiscal year—an increase of \$7,500,000 during these four years. At the necessary rate of present State expenditures, this present surplus is only sufficient to carry on the government for a comparatively few months if no revenues were forthcoming during those months, and to preserve such a surplus is only prudent business procedure just as it would be in a private business. Meanwhile it furnishes a splendid reservoir to be drawn upon in unforeseen contingencies, or to supply necessary additional revenues when current revenues are temporarily reduced during the adjustment period of a new tax system.

I can not help feeling that too great a reduction in this surplus may only be inviting future trouble.

This surplus will be set forth at the beginning of the Governor's budget, and is practically the only figure of that budget, so far as future revenues or expenditures are concerned, for which the outgoing administration is responsible. As I said at the beginning of this message, the recommendation as to State expenditures is properly the privilege of the incoming Governor, since it is during his administration that the expenditures will be made. The figures of the budget, therefore, are not mine, but are those of my successor.

The form of the budget, however, is one which our present administration devised some months ago and which the new administration has consented to accept. This form, I think, is an improvement upon either of our last two budgets, and is probably the best that can be found in any state. It presents the figures for the various departments in a clearer and more detailed fashion than has previously been the case. By the use of italics for the figures of special funds, both as to revenues and as to expenditures, it carefully differentiates the special and the general funds. It will probably show separately the expenditures for general purposes, for education, and for highways, just as was done in the previous budget, thus setting forth clearly the extent of our educational and highway costs. Finally, it follows the procedure of the last four years in presenting a complete budget, showing every dollar of expenditure,

instead of a camouflaged budget showing only a little over half the actual expenditure, as was the procedure prior to four years ago.

STATE UNEMPLOYMENT COMMITTEE.

California, in common with nearly every other part of the world, has during the past year been suffering from an industrial depression which, although far less severe than in many parts of the country, is nevertheless a matter for very serious attention. To the extent that the depression is caused by previous overproduction, industry is necessarily slowed up, and men are thrown out of employment. This, together with rapidly increasing use of machinery to replace hand labor, and the general tendency to retrenchment in a time like the present, has produced unemployment conditions more grave than have before been experienced within recent years.

TWO PROBLEMS PRESENTED.

Such a situation presents two problems: First, to deal with the existing situation, furnishing all the employment possible through an expansion of public works activity and otherwise; and second, to make a thorough study of the whole subject, with the thought of adopting some policy which may render such conditions less acute at any similar future time. The fact that men who are willing to work to maintain themselves and their families should be unable to do so, presents a problem which in a country like ours must certainly be capable of solution.

In the report of the Department of Industrial Relations presented to the Governor's Council last October, the problem of unemployment in our State was discussed. Reference was made to the prolonged depression, its world-wide aspects, and the severe strains on human society that follow from lack of work. As a result, our Department of Public Works not only submitted to contractors a larger volume of work than had been originally contemplated, but a sum of no less than a million dollars was set aside to be expended for hand labor both in the building and in the maintenance of highways. In this way it is estimated that work can be given to nearly 3500 men through all the winter months.

DEPARTMENTAL RECOMMENDATIONS.

The following recommendations were offered by the Department of Industrial Relations as a basis for discussion:

(a) That the Governor of California appoint a State Unemployment Committee.

(b) That the State Unemployment Committee cooperate with each city in California willing to appoint joint committees.

(c) That plans for coping with unemployment now in existence in Wisconsin, Ohio, New York, and other states, as well as in the different cities paying especial attention to the problem, be studied for their respective values.

(d) That the main purpose of alleviating present distress dominate the organizations outlined above, so that effective measures may be taken at the earliest possible moment.

(e) That an intensive study of unemployment insurance be undertaken with a view to submitting to the 1931 California Legislature a plan, or plans, for consideration by the people.

(f) That attention be directed to stabilizing and regularizing employment, to the alternating of lay-offs, to the dismissal wage, and to the importance of new industries in providing work.

(g) That the free state employment agencies be developed for a fuller service, and that the seasonal offices be increased in number, so that all kinds of labor can be furnished without charge to either employers or employees, and that transportation facilities be given to those who are without means.

(h) That federal resources be utilized to the best advantage when pending legislation is passed by Congress.

(i) That State, county and city work be planned with a view to providing the maximum of employment.

(j) That the five-day week be studied as well as other plans for combatting unemployment.

(k) That pension plans, group insurance, compensation insurance, age discriminations in industry, and other like problems that are related to the unemployment question be investigated.

(l) That the Universities of California be invited to have their Departments of Economics assist in every way possible.

(m) That censuses of the unemployed be taken at intervals, so that reliable information will be at hand.

(n) That expert help be obtained by the State to direct the studies and research into the technical questions that will present themselves.

(o) That the California Legislature be asked to appropriate the sum of \$100,000 or such part of that sum as may be needed, to meet the expenses herein outlined, all expenditures to be approved by the Governor, the Director of the Department of Finance and the Director of the Department of Industrial Relations.

APPOINTMENT OF COMMITTEE IN TWO GROUPS.

In accordance with propositions (a) and (b) of the department's recommendations, a State Unemployment Committee was appointed. It was my decision that two groups, one for the north and the other for the south, would overcome the objections of time lost in travel. Accordingly I appointed Will J. French, Director of the Department of Industrial Relations, as general chairman, so that the department could serve as a connecting link between the two groups and also give all its facilities to the work. I am exceedingly pleased with the splendid personnel of the committee members who so generously agreed to aid in these endeavors.

Northern Group.

Fred G. Athearn, attorney and former Corporation Commissioner.

Albert E. Boynton, attorney and former State Senator.

Michael Casey, labor official.

O. K. Cushing, attorney and governor State Bar Association.

Leland W. Cutler, president San Francisco Chamber of Commerce.

A. B. C. Dohrmann, president Industrial Welfare Commission.

B. W. Gearhart, department commander American Legion.

Edward J. Hanna, Archbishop Catholic Church.

A. F. Hockenbeamer, president Pacific Gas and Electric Company.

Mrs. William Palmer Lucas, civic leader.

Edward L. Parsons, Bishop Episcopal Church.

Aurelia Henry Reinhardt, president Mills College.

Paul Scharrenberg, secretary-treasurer State Federation of Labor.

Robert G. Sproul, president University of California.

Jesse H. Steinhart, attorney.

Southern Group.

John C. Austin, president Los Angeles Chamber of Commerce.

Harry J. Bauer, president Automobile Club of Southern California.

Roger G. Edwards, orchardist and banker, Santa Paula.

Dr. John R. Haynes, retired physician.

A. W. Hoch, president State Federation of Labor.

W. A. Johnstone, president State Civil Service Commission.

W. R. Kilgore, vice president Pacific Employers Insurance Company.

May D. Lahey, judge municipal court of Los Angeles.

I. Irving Lipsitch, executive director Federation of Jewish Welfare Organizations.

Lee A. Phillips, insurance and business executive.

D. W. Pontius, president Pacific Electric Railway Company.

J. H. Rainwater, secretary San Diego Community Chest.

A. Loy Reeder, president Los Angeles Building Trades Council.

E. P. Ryland, secretary Church Federation of Los Angeles.

L. P. St. Clair, president Union Oil Company.

Grace S. Stoermer, past president Native Daughters.

Perry W. Weidner, banker, prominent in fraternal circles.

The northern group selected Mr. O. K. Cushing as chairman, and the southern group named Mr. Harry J. Bauer for the like position.

AIMS AND PURPOSES OF COMMITTEE.

The principal aims and purposes of the State Unemployment Committee are (1) to devise ways and means of dealing with the present unemployment situation; (2) to study the problem of preventing similar industrial depressions; and (3) to study and suggest methods of dealing with possible similar unemployment emergencies.

The subcommittees appointed by the State Unemployment Committee are at work on the following undertakings: (1) to influence employers of labor to give work to as many workers as possible and to "stagger" employment instead of further reducing their working forces; (2) to secure facts regarding the measures which the State or the communities within the State can undertake immediately to cope with present unemployment; (3) to secure further reliable information on the present unemployment situation; (4) to coordinate the efforts of various communities in dealing with their unemployment problems; and (5) to study the feasibility of regularizing employment in various California industries.

The members of the State Unemployment Committee serve without compensation, but the State Department of Finance has appropriated money out of the emergency fund to cover the cost of its expert and clerical work up to the expiration of my term of office.

COOPERATIVE EFFORT.

It has been a pleasure for me to learn that the State Unemployment Committee is working in close cooperation with similar committees appointed in other states, and also with "The President's Emergency Committee for Employment." Likewise, the response from California's counties and cities has been most gratifying. Local authorities have been asked to have the State Unemployment Committee serve as a

clearing house for information and guidance, and plans for the best possible organization for relief are now in the possession of officials all over the State.

Possibly the best service that can be given the people of the State will come from the committee's recommendations dealing with the future. Preparation is advisable for the dark days that may come again. The problems of manufacturing, distribution and consumption must not be overlooked. We can well learn from other and older countries. Some form of employment insurance may prove worth while. Our free State employment agencies, in conjunction with federal agencies, should give more help. Legislation, carefully prepared, should forestall plans that lack due consideration. In a word, California should immediately make so thorough a study of this problem as to prepare us in the future for whatever emergency may arise.

THE LEGISLATIVE BRANCH OF GOVERNMENT.

The service which any Governor can render to his State is largely determined by the legislative sessions during his term of office. Perhaps no Governor has ever had greater reason than I to appreciate the cooperation of the Legislature. Your record of the past two sessions has been a very splendid one, and has undoubtedly furnished more in the way of constructive legislation than has marked any like period of time within the last dozen years. Indeed, for its equal in worth while accomplishment, I can compare it only with the memorable sessions of 1911 and 1913. This record is one which I am proud to share; and I wish at this time to render you my sincere thanks for your constant and generous cooperation.

NOTABLE LEGISLATIVE ACHIEVEMENTS.

I feel justified in directing attention to some of the more important steps in the interest of our State and its government which have been taken during these four years. I believe that all who have examined these achievements will agree that they are of a fundamental and lasting character. Though I am naturally pleased that they have come within our present administration, nevertheless they are not the accomplishments of an administration alone, but are rather the joint endeavor of both the legislative and executive branches of our government.

An experience of eighteen years in legislative work, with fourteen years of that time spent as presiding officer of one or the other of your two houses, has possibly enabled me to understand your problems better and to appreciate your work more keenly than I could have done had this privilege not been mine. From your achievements since I have been Governor, I have at random selected three score, the mere mention of which will indicate the lasting and constructive nature of what has been accomplished during the past four years.

GOVERNMENTAL.

1. Reorganization of State government into thirteen departments.
2. Work systematized through creation of Governor's Council.
3. Adoption of first complete executive budgets.
4. First steps toward modernizing State tax system.
5. Preserving of adequate and necessary general fund surplus.
6. Obtaining constitutional warrant for retirement salaries.
7. Attacking marketing problems through Bureau of Commerce.
8. Creation of Judicial Council to simplify court procedure.
9. Enactment of many bills for cutting of legal red tape.
10. Establishment of a self-governing bar for legal profession.
11. Provision for preprinting of legislative measures.
12. Larger State contribution to salaries of superior judges.
13. Establishment of commission for revising constitution.
14. Provision for study of county home rule.
15. Movement toward complete codification of laws.
16. Adoption of modern and satisfactory school code.
17. Creation of commission to study educational problems.

DEVELOPMENTAL.

18. Comprehensive long-time plan for State building needs.
19. Resumption of highway construction through gas tax.
20. Insistence on budgeting all highway expenditures.
21. Limiting new State highways to budget recommendations.
22. Special aid furnished to county roads of smaller counties.
23. Insistence that toll bridges shall be public property.
24. Definite plans adopted for San Francisco Bay bridge.
25. Protecting home builders through contractors' license law.
26. State-owned buildings provided for all State agencies.
27. Proposal of bond issue for developing State harbor.
28. Veterans' welfare bond issue submitted to the voters.
29. Provision made for acquiring a State park system.
30. California's rights protected in Colorado River compact.
31. Provisions for formation of Metropolitan Water District.
32. Achievement of program for conservation of gas and oil.

33. Sound foundation laid for State water development.
34. Responsibility established for State supervision of dams.
35. Provisions made for speeding State building construction.
36. Construction of modern ship-side cold storage terminal.
37. Division of Mines reorganized as aid to mining industry.

MISCELLANEOUS.

38. Prompt and economical suppression of foot and mouth disease.
39. Winding up affairs of unfortunate land settlement attempts.
40. Creation of efficient advisory State Board of Agriculture.
41. Aid to farmers through liquidating reclamation debts.
42. Various quarantine provisions for protection of agriculture.
43. Provisions for eradication of bovine tuberculosis.
44. Modernization of plants for various State institutions.
45. Intermediate prison established for young first offenders.
46. Establishment of new penal institution for women.
47. Creation of new State Hospital for the Insane.
48. Devising and building of State Narcotic Hospital.
49. Adoption of eight-hour day in State institutions.
50. Legislation for adequately supervising probation and parole.
51. Adoption of State aid program for the needy aged.
52. Similar provisions adopted for aiding needy blind.
53. Fullest program of wise labor legislation in many years.
54. Larger and prompter compensation to those injured in industry.
55. Aid given to traveling public through new highway patrol.
56. Provisions made for rehabilitation of crippled children.
57. Greatly increased appropriations for preventing forest fires.
58. Approval given to every measure of veterans' legislation.
59. Aid in disaster provided through State Emergency Council.
60. Establishment of much-desired State Nautical School.

A considerable number of these measures are discussed with more or less detail in other portions of this message. Because of this, and because many of you as legislators became familiar with them when they were before you, I feel that there is little need to enlarge upon them here. Practically all those I have named were sponsored by the present administration and many were initiated as major administration policies; but, as I have already said, they would never have come to fruition, had it not been for the generous cooperation of both houses of the Legislature.

THREE IMPORTANT MEASURES.

Aside from the legislation which has been fully treated elsewhere in these pages, I might mention just a few of the achievements of the last two years in which I take especial pride, owing to the fact that they were accomplished in the face of vigorous opposition. An instance of this is the ship-side refrigeration terminal, which a season's use has demonstrated to be almost ideal in every respect. It was insisted by many that no such cold storage plant should be established except upon one certain piece of property for which the owners were asking an excessive price, and which would have required millions of dollars for development. Instead of plunging the taxpayers into this extravagance, we built a plant in a substantial concrete building already belonging to the State, which has proved so well located and so satisfactory that at times last season it was filled to capacity, and which can be doubled in size for next season at a comparatively small expense.

I might also mention the establishment of a traffic patrol, which at my insistence was placed under civil service, so that the traffic officers are assured of continuous employment during good behavior. I believe that every motorist on our highways during the past year has been impressed with the work these men are doing. It was urged upon them from the very first that they had been placed upon the highways to be of service to the comfort and safety of the traveling public; that 98 per cent of those who use our roads are fine, upstanding citizens, careful, competent, and respectful of the rights of others; that all danger lies in the remaining 2 per cent; and that traffic officers who are constantly on the alert can materially lessen this danger, and at the same time find opportunity for courtesy and helpfulness to the vast majority who are careful to observe the "rules of the road."

There is one more new governmental activity to which I should like to call attention. I refer to the supervision of dams on the part of the State, which is designed to prevent any such disaster as the failure of the St. Francis Dam, which destroyed a vast amount of property and took a toll of more than four hundred lives some two or three years ago. This new activity of the Department of Public Works had scarcely commenced to function before it was called upon to examine the San Gabriel Dam, in which Los Angeles County had already spent several millions of dollars, but which was at once shown to be on so insecure a foundation that public safety demanded a discontinuance of the work. It is a great tribute to those in charge of this supervision that neither in the case of the San Gabriel Dam nor in any other of the many examined, has there been the slightest tendency to disagree with the verdict of our engineers in this important matter.

PROSPECTIVE LEGISLATION.

It is, of course, furthest from my thoughts to attempt any interference in a legislative session in which I shall have no part. Nevertheless, interesting as the last two sessions have been, I can not help thinking that the Legislature of 1931 may find more opportunity for constructive achievement than has come to any Legislature in recent years. I believe that any one who reads this message will find on almost every page suggestions of possible accomplishment along both material and humanitarian lines, finer and better than often falls to the lot of a legislative body. I realize only too well that in many respects we have only plowed the ground, and that the harvest is ready for those who care to enter upon it. My best wishes are yours for an interesting and splendidly successful session.

Among other things, I might call to your attention the many earnest studies of the past two years, on the part of both legislative committees and statutory commissions. The former will undoubtedly call forth new laws, sponsored by those who have taken part in this committee work. As for our commissions, I wish to impress upon you that they have worked long and faithfully and very intelligently, and that whatever they may recommend in changes of educational policy, a better and more efficient local self-government, a scientific codification of our vast masses of undigested laws, or a possibility of securing for California a constitution of which she need not be ashamed, is all very distinctly worthy of your attention. Added to this are the problems of taxation and water conservation and better financing of irrigation districts, and a hundred other matters which may easily make this session a very important one.

THE REAPPORTIONMENT PROBLEM.

As one who took part twenty years ago in the reapportionment of California's legislative and congressional districts, may I respectfully suggest that you do not postpone this important task until too late in your session. This is a mistake which we made at that time, with the result that we were called back into an extra session of several weeks' duration in order to complete our work. California this year has challenged the attention of the entire nation by a larger increase in congressional representation than has ever before come to any state at any one time. The constitution is clear that these must be allotted in proportion to population; so your solution of this problem should not be difficult either as to congressional or legislative reapportionment. No work of a legislative session is more interesting than this, and I congratulate you on the opportunity that is yours.

In closing this portion of my message, may I as a former fellow legislator urge you once more to consider the possibility of preparing your proposed legislation in advance of the actual session. I have not felt privileged to follow up the matter this year as I did last session, when with the ever-willing assistance of the Legislative Counsel Bureau, over 650 bills were prepared in advance, and many of them preprinted. As you will remember, an act was passed providing for this preprinting at any time between sessions, thus permitting each legislator to introduce his bills in carefully prepared and printed form. Until this becomes the general rule rather than the exception, legislation will always be hurried and unsatisfactory, and I respectfully commend the advance preparation of bills to you as a matter worthy of your most serious attention.

THE JUDICIAL BRANCH OF THE GOVERNMENT.

In my message of two years ago, in discussing the Judicial Department of the State, I outlined in detail the different branches of the judiciary—Supreme Court, District Courts of Appeal, superior courts, municipal courts, and such inferior courts as the Legislature may establish. I shall not repeat that discussion here, but shall confine my attention to two specific matters of more than passing interest relating to the administration of justice in California. I refer to the creation of the State Bar of California and to the work of the Judicial Council.

THE STATE BAR ACT.

By the State Bar Act, approved by me on March 31, 1927, all persons then entitled to practice law in this State were constituted members of a public corporation, which body is given general powers "to aid in the advance of the science of jurisprudence and in the improvement of justice," and the power, subject to the approval of the Supreme Court, "to formulate and enforce rules of professional conduct for all the members of the bar in the State." The board of governors of the State Bar, chosen by its members, and also subject to the approval of the Supreme Court, may prescribe the conditions for admission to practice law in this State, and shall investigate all charges of unprofessional conduct preferred against practicing lawyers, and shall recommend to the Supreme Court that those found guilty of unprofessional conduct be disciplined by reproof or by disbarment or suspension from practice.

The act was vigorously attacked as being an unconstitutional attempt on the part of the Legislature to delegate its control over the practice of the law in this State, and as being an invasion of the inherent power of the courts to control the conduct of attorneys practicing before them. When the law was finally brought before the

Supreme Court, however, the constitutionality of the Legislature's action in passing the statute was promptly sustained.

Were I to judge from my own observation alone, I would say that the result of the passage of the State Bar Act has been highly beneficial. The standards for admission to practice law have been raised, the ethics of professional conduct of members of the bar have been given new meaning, and the practice of law in California has been placed upon a higher plane. But I do not have to rely upon my observation, for my conclusion about the whole matter finds increasingly generous support in the judgment of our citizens, and in the whole-hearted acquiescence of the great majority of the legal profession. California's progress in this regard is being very carefully studied in a number of other states, some of which have adopted practically all of the provisions of our State Bar Act.

THE JUDICIAL COUNCIL.

The Judicial Council, created as a part of the Judicial Department of the State by an amendment of the constitution adopted November 2, 1926, consists of the Chief Justice of the Supreme Court, one Associate Justice of the Supreme Court, three justices of the District Courts of Appeal, four justices of superior courts, one judge of a police or municipal court, and one judge of an inferior court, all assigned by the Chief Justice to sit thereon for terms of two years. It thus provides a body of trained experts drawn from all the courts of the State, with plenary authority to survey the business in the several courts and to submit such suggestions to the several courts as may seem in the interest of uniformity and the expedition of judicial business.

As provided by the constitution, the Judicial Council of California is composed wholly of justices and judges of the courts. The members of the council have considered this fact a weakness in that members of the legal profession have no official part in the consideration of the matters in which it plays such an important part. This defect, in so far as it can be remedied without submitting another constitutional amendment to the people, has been cured by the cordial cooperation of the State Bar and the Judicial Council, through the appointment by the State Bar of a committee of five members which meets regularly with the council and participates unreservedly in the consideration of all matters acted upon by that body.

WORK OF THE COUNCIL.

The report of the council made to the Governor and the Legislature at its session in 1927, was devoted largely to a survey of the conditions of business in the various courts, and but few measures were submitted for legislative action. Those few, however, were approved and became laws. Several important amendments to the constitution, relating particularly to the courts and their jurisdiction, were suggested by the council at that session, and were adopted by the people at the November election in 1928. Some fifty carefully considered bills were presented by the council to the Legislature at the session in 1929. After careful scrutiny of these proposed measures by the judiciary committees of both houses, the greater number of these bills became laws. They relate to the jurisdiction of the courts and to matters of procedure, and tend to simplify and expedite the trial of causes in court. Experience in the various courts since the passage of the measures has demonstrated the benefit of their passage.

In my opinion, the outstanding feature of the work of the Judicial Council has been the unification of the judicial system of the State. The Chief Justice of the Supreme Court, as chairman of the council, is, by the constitution, made the chief executive, or administrator, of the judicial department. In order to "expedite judicial business and to equalize the work of the judges, he shall provide for the assignment of any judge to another court of a like or higher jurisdiction to assist a court or judge whose calendar is congested, or to act for a judge who is disqualified or unable to act, or to sit and hold court where a vacancy in the office of judge has occurred." The late Chief Justice Taft of the Supreme Court of the United States hailed this feature of the California Judicial Council as its most notable provision.

This power of the chairman of the council to so mobilize the judicial man-power of the State as to relieve the congestion in the courts in the different counties of the State and in different cities in the same county has resulted in practically removing the unhappy situation existing because of the crowded condition of our courts four years ago. The one exception has been the courts in Los Angeles County, where the increase in population has been so rapid that it has been impossible to keep pace with the litigation which seems inevitably to follow such a growth. Even in that county, however, much has been accomplished, and the condition has been improved at least 50 per cent. The time between setting a cause for trial and actual trial has been reduced one-half. At one time within the past four years the showing was even better.

RESULTS OF COUNCIL'S EFFORTS.

Under assignment by the chairman of the Judicial Council, during the period July 1, 1928, to July 1, 1930, judges of the superior and municipal courts served in other

courts than their own a total of 655 months—the equivalent of the continuous service of 27 judges for the two-year period.

One result of the progress which has been made in clearing the dockets of the trial courts has had an opposite effect upon the situation in the District Courts of Appeal and the Supreme Court. In December, 1926, there were pending and uncalendared in these two courts 2130 causes. In the three succeeding years (January 1, 1930), 5486 appeals were filed. There were, on June 30th of this year, 2242 causes uncalendared and awaiting disposition in the Supreme Court and the District Courts of Appeal. In other words, due to the greatly increased number of appeals, these courts are just about where they were four years ago, in so far as relates to the number of undecided cases. However, the time from the perfecting of appeals to final disposition has been materially lessened.

Remedying these conditions, which so materially affect the administration of justice in this State, in the face of our rapidly mounting population and a corresponding increase in litigation, is one of the problems that will tax the ability of the Legislature, the courts and the Judicial Council. Antiquated forms of procedure in our courts should be replaced by methods which tend to expedition and simplicity of action. It is no answer to the problem to say, as may quite possibly be said, that the conditions in this State are no worse than they are in other states. They are being bettered in many other jurisdictions. They must be made better here.

THE ADMINISTRATIVE BRANCH OF GOVERNMENT.

As distinguished from the legislative and the judicial branches of government, the administrative branch is that to which is committed the details of carrying out various governmental functions. That part of the administrative branch subject to direction of the Governor's office I have already named under the head of our various State departments, each of which I shall further discuss in detail later in this message. Aside from these, however, are four elective offices, whose duties are largely independent of the executive, but which none the less play an important part in the machinery of State government.

These four offices are those of the Secretary of State, the State Controller, the State Treasurer, and the Attorney General. Under modern theories of government where the so-called "short ballot" is advocated, these offices are considered of such a nature that they might well be filled by appointment rather than by election. However, in California this is only an academic question, since the voters are so well satisfied with the manner in which they are being conducted that they appear more than willing to give the present incumbents a life tenure. These four officials have served for terms ranging from eight to twenty-eight years, and have been elected and reelected to their present positions from three to eight times each.

In such State publications as the last edition of the California Blue Book, the powers and duties of these public officials are so fully described that I need not enlarge upon them here. Three of them, the Secretary of State, the Controller and the Treasurer, have their offices adjacent to that of the Governor on the first floor of the Capitol, while the Sacramento office of the Attorney General is located in the Capitol annex, known as the Library and Courts Building. Up to two years ago the Surveyor General was also an elective office, but this is now operating as a division in the Department of Finance.

These four officials, together with the Governor, the Lieutenant Governor, the Superintendent of Public Instruction and the State Board of Equalization, constitute California's nonjudicial elective officers, all of them coming before the voters at the time of the regular gubernatorial election. I am happy this year, just as I was two years ago, to acknowledge the many courtesies and favors the Governor's office is constantly receiving from these elective fellow officials. In all their contacts they have manifested their willingness to be cooperative, and it is this fine spirit of friendliness and good will which serves to make our work at the State Capitol so satisfying and enjoyable.

CALIFORNIA'S DEPARTMENTALIZED GOVERNMENT.

Of all our accomplishments of the past two years, as well as the two years which preceded, I feel certain that the one of the most permanent value is the reorganization plan by which all the various governmental activities of the State have been committed to certain definite departments. I first called attention to this matter in my inaugural address four years ago, at which time I spoke as follows:

The government of California, like that of most other states, has gradually taken on a large number of functions, social, regulatory, and developmental—functions which some governmental agency must perform, and which for many reasons naturally devolve upon the State. This has given rise to numerous boards and commissions, now operating independently of each other, but of such nature that they readily fall into groups, each group containing agencies with interrelated and sometimes overlapping functions.

California, eight years ago, made a preliminary study of this problem to determine whether it would not be in the interest of economy, and more especially in the interest of efficiency, to organize these groups into depart-

ments of the State government. At that time, only a beginning of the work was accomplished. I accordingly invite the attention of the Legislature to this problem, and suggest that the work of departmentalizing the State's activities be at this time continued.

Two years ago our reorganization plan had demonstrated its worth, as was set forth in the following paragraph from my first biennial message:

In 1927, at the beginning of the present administration, the matter of the reorganization of State government was taken up in earnest, for it was felt that the securing of businesslike efficiency in the State's affairs must be largely dependent upon a businesslike set-up of our various governmental agencies.

The Legislature responded heartily to suggestions toward this end, with the result that nine strong departments have thus far been organized, and have been functioning since the laws creating or reorganizing them went into effect a year and a half ago. * * * Only those in close touch with State affairs can fully realize how much hitherto wasted and duplicated effort has been saved, and how much added efficiency has been gained, through this new governmental plan.

After an additional two years since the foregoing was written, the California plan of government through departments has unquestionably so commended itself to our citizens that there is little probability that it will ever be abandoned. At the legislative session of 1929, four more departments were added to the nine which were provided at the previous session, thus making thirteen now functioning. Among the recommendations I shall make for this session is the establishment of a fourteenth department which will more adequately care for several State activities now included in existing departments. In my judgment, these fourteen departments will very fully complete the possibilities of California's State governmental reorganization.

GOVERNMENT BY COMMISSION FOUND WANTING.

In order more fully to understand the importance of this departmentalizing of State government, it may be well to trace briefly how it all came about. When states were small in population and had comparatively few governmental functions, it was possible for a governor to keep in fairly close touch with all the work of the various State agencies. This is perhaps still the case in some of our smaller states, though the multiplication of governmental agencies has made it difficult, even in the smallest of them. In even these, and in all the larger states, succeeding legislatures at every session have enormously added to the scope of the states' activities; and as each new responsibility was added, in most every case it was put into the hands of some board or commission for its administration.

Nearly thirty years ago writers on problems of state government were calling attention to the rapidly increasing number of boards and commissions. One of these writers in 1901 classifies these as investigational, semijudicial and executive, and points out that nearly one hundred at that time existed in New York, while in such other populous states as Massachusetts and Pennsylvania there was likewise a large number. From 1901 until 1917, when Illinois under Governor Lowden first moved toward a departmentalized state government, the number of boards and commissions in almost every state more than doubled. In California during that period the number which had been created since the beginning increased from 58 to 135.

Practically all these commissions and boards were appointed by the Governor, and hence were theoretically responsible to him. However they rapidly became so many in number, so diverse in kind, and frequently so technical in operation that their contact with the Governor's office was of necessity very slight. They were consequently left to function by themselves without anything in the way of adequate supervision. In cases where a commission was composed of members who for personal reasons were especially interested in their particular work, the results were, of course, good. When, on the other hand, the appointments were made for political reasons or simply to do honor to individuals, the results were correspondingly poor. The important point, however, was the fact that the Governor, who of right ought to be the manager of the business of State government, did not and could not have any accurate knowledge of the business under his charge. At best it was a hit-or-miss, haphazard kind of government, and became so more and more in direct ratio to the increasing number of governmental functions created by legislative act and entrusted to constantly added and unsupervised commissions, each independent of all the others.

DEPARTMENTAL SYSTEM FIRST RECOMMENDED.

The first definite recommendation for a change in these conditions in California was voiced by Governor Pardee in his second biennial message, issued just twenty-four years ago today. In his message the Governor expressed himself as follows:

State and institutional boards are neither very efficient nor economical, and can not be, because the responsibilities of their members are so divided. Division of responsibility never makes for efficiency in the conduct of either public or private affairs, and I am strongly of the opinion that if most of our State boards and commissions were abolished and departments substituted,

each being under a responsible head, holding office at the pleasure of the chief executive, with the executive strictly responsible to the people, a marked degree of improvement in efficiency and economy in the dispatch of public business would result.

These words of Governor Pardee, and similar messages at about the same time by governors of other states, very accurately express the thought underlying departmentalized state government. Yet it was ten years before the first such government was established under Governor Lowden of Illinois; twelve years before the creation of our own State Department of Agriculture as a sort of preliminary experiment; and twenty years before the beginning of the present administration, when California adopted a departmental form of government in fact as well as in name. Meanwhile the number of boards and commissions of which Governor Pardee complained had considerably more than doubled, making the solution of the problem both more necessary and more difficult.

FREEDOM FROM POLITICAL INFLUENCES.

The experience of California during the past four years, and that of the dozen or more other states which have departmentalized their government, has abundantly proved that this is the most efficient and businesslike way in which a state government can be conducted. Moreover, I am very certain that those states have been most successful which, like California during these years, have entirely safeguarded their departments from political influences of any kind. To illustrate what I mean, I may perhaps be pardoned for stating our own procedure and experiences during the past four years.

The directors of our thirteen State departments were all appointed on account of their special knowledge of, interest in, or preparation for, the special work under their charge. Not one of the appointments could in any sense be classed as political. Each director from the first was fully assured that he was given a free hand in conducting his department without any dictation or interference whatever from the Governor; that he was to have entire freedom as to appointments within his own department, and would not be asked to make a single appointment or perform a single act for political reasons; that he would be backed up by the Governor as against unjust criticism of any kind; that the only thing asked of him was to produce results through his own hard work and that of his department employees.

The result has been a group of directors comparable to the board of directors or officials of any big private corporation. Only two have resigned during the four years, in each case to accept better openings elsewhere at salaries which the State could not meet. Every director has come to have a real pride in his work and to feel that as far as his particular activity is concerned, he himself is virtually a "governor" in his own particular department. In this way and only in this way, I am satisfied, can our best and most able citizens be made interested in public service; and it is with the greatest satisfaction that I have seen each of these directors of his own right win a place for himself and his department in public attention and esteem.

Inasmuch as the directors form a sort of Governor's cabinet, in almost every instance they hold office at his pleasure. They are essentially the agents for the execution of his policies. Their responsibility to him is in exact accord with modern ideals of government. But although this relation of the chief executive to his department heads makes it proper that they should be removable at his pleasure, this should by no means apply to all appointees. In a word, there should be no relaxing of the determination that officials charged with technical, educational, or judicial duties must be free to perform those duties during fixed terms of office beyond the influence of any "spoils system," or the danger of political removal.

SUGGESTION FOR FOURTEENTH DEPARTMENT.

As I have said, thirteen of these departments have thus far been organized; and I feel quite certain that the time is approaching when the list should be completed by a fourteenth, which may take over certain activities that would bear a closer relation to such new department than to the departments in which they are now included. This new department might be called the "Department of State Development and Commerce," or some more appropriate name. It would probably best function under about four divisions, such as a Division of Commerce, a Division of Exhibits, a Division of Standards and a Division of Construction and Planning.

The Division of Commerce would take over the work of the Bureau of Commerce, now in the Department of Finance, and possibly all or some of the activities now conducted by the Division of Markets under the Department of Agriculture. Its principal function should be the finding of outlets for California products of all kinds, whether in the foreign or domestic field. This, of course, does not extend to the actual sale of products, since that is a matter for private enterprise; but rather in the collection of basic information as to economic conditions, sales methods and trade practices in foreign and domestic markets, and as to market possibilities for specific products and the character of competition which will render such products unprofitable. It would also take over the Fish Exchange, which since its creation has for some unexplained reason been included in the Department of Agriculture.

The Division of Exhibits is now rather inappropriately included in the Department of Finance, and comprises the State Agricultural Society which has charge of the State Fair, together with the district agricultural associations which have charge of the various district fairs, but whose directors are State appointees. Among these is the Sixth District Association which has in the heart of Los Angeles city a beautiful agricultural park with its permanent buildings and exhibits, and worth many millions of dollars. The holding of these fairs clearly stimulates the agricultural, industrial, and commercial development of the State, and would hence be very appropriately in the control of the proposed new department.

The Division of Standards would take over from the Department of Agriculture its Division of Weights and Measures, as well as its Mattress Inspection Service, its Upholstered Furniture Service and similar activities which seem clearly out of place in the Agricultural Department. The securing of honest weights and measures, and honest materials in these manufactured articles, would appear to be a proper function of a department such as here outlined.

The Division of Construction and Planning would especially apply to the development side of the department, and would render service in providing and enforcing State building codes and related regulations, in stabilizing building construction, both public and private, in compiling information which will lead to the promotion of home ownership, in regional planning and zoning, and in doing such other things as will serve to aid the State's development along these lines.

Possibly other functions not here mentioned may properly be included in such a department; or, on the other hand, possibly some of the activities here suggested may seem inappropriate. I believe, however, that California's rapid growth will soon justify a State department of this nature. Its director should probably be the chief of its most important division, thus avoiding the expense of a separate director's salary. Finally, I am certain that with the addition of this department every possible State function will have been cared for, and the departmentalizing of our State government will be complete.

THE GOVERNOR'S COUNCIL.

It is unquestionably true that, among the dozen or more states which have attempted governmental reorganization similar to ours, California's preeminence is very largely due to the creation of a Governor's Council, composed of the directors of all the thirteen State departments. Following is the language of the statute providing for this council and directing where and how often its meetings must be held:

A council to be known as the Governor's Council is hereby created, to consist of the Director of Finance, Director of Education, Director of Public Works, Director of Public Health, Director of Institutions, Director of Agriculture, Director of Industrial Relations, Director of Social Welfare, Director of Natural Resources, Director of Investment, Director of Professional and Vocational Standards, Director of Military and Veterans' Affairs and Director of Penology. At least once each month the council shall meet in Sacramento at such time and place as may be designated by the Governor. It shall be the duty of each of the members of the council to report to the Governor at the time of such monthly meeting, and at such other times as the Governor may desire, the facts regarding the administration of the functions of his department, and to perform such other duties, as a member of the council, as may be required of him by the Governor.

This Governor's Council was first created by the Legislature of 1927, to comprise the directors of the nine departments organized at that session. The statute of 1929 merely amends the original act by adding the four new directors to the council's membership, thus making a total of thirteen in all. So far, since its inception, forty-one meetings of the council have been held at the State Capitol, aside from three additional meetings in Los Angeles. It has become the custom of the present administration to make the January and July council meetings at Sacramento general in character, and to have the regular directors' reports for those two months presented at a Los Angeles meeting, thus permitting the citizens of southern California to get more closely in touch with the details of State government.

REGULAR COUNCIL MEETINGS.

The regular days for meetings of the council are the last Wednesday of each month, and the Tuesday afternoon preceding. The council convenes at two o'clock on Tuesday afternoon, and generally finds time for five directors' reports before adjournment. Tuesday evening is occupied by an informal dinner meeting, attended only by the council, the Governor and his two secretaries. The council reconvenes at nine o'clock Wednesday morning and usually finishes its work by five o'clock in the afternoon.

The regular meetings are held in the council chamber adjoining the Governor's office in the State Capitol, and are open to the press and to the public. A semicircular table is provided, around which the sessions take place, with accommodations for fifteen—the Governor, the thirteen members of the council, and for an additional member in case a new State department should be created. Similar provisions are being made in the auditorium of the new State building in Los Angeles. In both

these places adequate seating is provided for those who may desire to keep in touch with the progress of our varied governmental activities.

The council meetings are particularly designed to enable each of the directors to make a comprehensive report as to the work of his department during the month, and to enable the Governor and other directors to make suggestions and inquire, and to discuss the activities of each department in its relation to other departments and to our State government as a whole. In every council meeting questions arise where opportunity is provided to reconcile conflicting interests of various departments, or to discover where overlapping functions of different departments are resulting in duplicated effort, and prevent the needless expense and waste which this entails. Sometimes matters of this kind are settled at the council meeting; sometimes a committee of directors is appointed for a special investigation of the question at issue, for report at the next council meeting.

THE COUNCIL IN ACTION.

It may not be out of place to give a short description of the manner in which the council conducts its meetings. Each of the State departments carries on the various branches of its work in divisions, ranging from four to seven in number and each in charge of a division chief. Each department director, in addition to his constant personal supervision, calls his division chiefs together once or more each month, thus obtaining an accurate picture of all pending departmental activities. This picture is presented to the council meeting in the form of a mimeographed report, with copies for the Governor and the other council members, for the press and spectators, and for such public organizations as may desire them. I am preserving sets of all these reports for each of the past four years as a history of California's governmental activities during that period, and am transmitting similar sets of reports to my successor; and each department director has been instructed to do the same for the one who succeeds to his department.

The directors present their reports in the order in which they are seated at the council table, which is the alphabetical order of their department titles. The one whose report comes first one month is placed last the succeeding month, thus providing a constant rotation. The director partly reads his report and partly delivers it orally as suggested by his marginal notes. He occupies from half an hour to an hour or more, according to the amount of discussion the report calls forth. In order to save time, no one takes part in this discussion except the directors and the Governor. If the director is absent through illness or absence from the State, he sends his report to be read to the council by the Governor. This rule has been strictly adhered to, in order that directors might not form the habit of being represented at council meetings by subordinates in their departments.

VALUE OF COUNCIL MEETINGS.

The value of these regular monthly council meetings may perhaps best be shown by contrasting them with former statutory provisions for reports to the Governor. In almost all the laws creating new functions of government, it was provided that the particular board or commission to which any one of these functions was intrusted should make a report to the Governor once every two years, just preceding the legislative session. These reports were dutifully made, duly presented to the Governor, and tucked away in pigeonholes without being read by him or by anybody else—which was probably just as well, since there is little value in reports concerning events two years old.

Meanwhile, the only way the Governor could keep in touch with the work of these agencies was by calling them into his office for consultation. A Governor, however, is a very busy individual in merely attending to the hundreds of pressing matters which make up his daily routine. Consequently he found no time for consultations with these boards and commissions, nor could he find opportunity for consultation with separate department heads except at an enormous waste of time and energy. As a matter of fact, such consultations would ordinarily be very rare.

The regular monthly council meeting, however, furnishes the Governor with just the touch that he needs. It assembles together at one time and place all those in charge of the details of his administration. It furnishes both orally and in writing a definite report of progress along all governmental lines. It enables him as Governor to preside at this meeting of his associates with exactly the same proper dignity of position which a President assumes at meetings of his Cabinet. Finally it enables him with the least possible expenditure of his time to keep constantly informed as to what each and every department is doing, and thus substitutes a live monthly report for the dead two-year-old reports of former days.

FOUR CHIEF PURPOSES.

Thus, to sum up what I have already said, the creation of a Governor's Council has served at least four purposes, each of them so important as to make it almost indispensable in any departmentalized form of government: First, it brings together those in charge of various governmental activities, and furnishes opportunity for unifying those activities such as would never be possible when boards, commissions, or even departments have no contact, one with the other. Second, it keeps the Governor continuously informed as to the progress of the State's government from month

to month, with only a fraction of the time and effort which would be required in a constant endeavor to learn about each department separately. Third, it gives to the Governor a body much like a President's cabinet, consisting of council members, each especially concerned with the work of his own department, but all acquiring a general knowledge of all departments, and consequently always available to the Governor for counsel and advice. And fourth, by the very necessity of these monthly reports to the Governor in the presence of his fellow directors, each director is stimulated to his best efforts to keep closely in touch with the activities of each division in his department.

A FORTUNATE ELECTION RESULT.

At the last general election a constitutional amendment was submitted to the voters by which the Legislature might be empowered to provide for representation in the Governor's Council of any governmental agency, where such representation does not conflict with the constitutional provisions under which it was created. The chief purpose of this amendment was to cover agencies such as the Osteopathic and Chiropractic boards, which were willing to be represented in the council, but were doubtful as to their right to representation owing to the fact that they were organized under initiative acts, and as such were not subject to acts passed by the Legislature.

It developed, however, on a subsequent study of the proposed amendment, that it was inadvertently so worded as expressly to bar from the council all elective officials, and would thus possibly have shut out the very important Department of Education, whose director was the State Superintendent of Public Instruction. Accordingly, the passage of the amendment would obviously have done more harm than good, and no effort was made in its behalf. Its rejection at the polls may therefore be considered very fortunate, since it leaves the present status of the council unimpaired.

REPORT ON STATE ACTIVITIES.

Thus far I have outlined our present State program of long-time planning, and detailed the careful studies which have been under way during the past year, both for the development of the State along material lines and for lasting improvements in our governmental machinery. I have also sketched the departmental plan according to which California's government has been organized, and the importance of the regular meetings at which those departments have found expression.

As in the case of my previous message, I shall now proceed to do the thing for which such a message is primarily intended—namely, present a picture of the various administrative agencies of the State and show their accomplishments during the past biennium, as well as the work in which each is now engaged. I shall treat these under the heads of the various departments into which these agencies are organized. In the case of the university, the Railroad Commission, and the State Harbor, which are virtually the only ones not departmentalized, I shall discuss each immediately after the State department to which it bears the closest relation.

In this way I trust that I may cover more or less thoroughly all the activities with which California's government is administratively concerned. I wish to acknowledge my appreciation to the directors of our various departments for the data which they have furnished me, and to thank them for permitting me to incorporate those data, frequently verbatim, into this message. I have been interested to observe that the material which they have sent me in outlining the activities of their respective departments is nearly twice as rich in detail as the similar material furnished two years ago; for I regard this as a very accurate index of the constantly increasing interest which these department heads are taking in their work.

For purposes of ready reference, I have followed the plan of my former message by which a definite topic may be found at the beginning of each paragraph. I shall discuss these departments in alphabetical order, beginning with the Department of Agriculture.

DEPARTMENT OF AGRICULTURE.

DIRECTOR, GEORGE H. HECKE.

California has experienced the extremes of agricultural conditions during the past two years. Just as 1929 was a year of short crops and high prices, 1930 has been a year of bountiful production and a sluggish market. The State's farming industry, however, has withstood these conditions arising from a worldwide depression remarkably well and has fared better than agriculture in most other states. This is due in large measure to the wide diversity of our production and the fine reputation for sustained quality which our agricultural industry enjoys. While limited buying power felt in every country during the past few months could not fail to be reflected profoundly in California, the widespread confidence in California fruits, vegetables and field crops, which has been built up under our own agricultural policies, has demonstrated emphatically that we are building our State agricultural administration on a secure foundation.

State Leads in Many Lines of Production.

The bulk of our immense farm wealth must be sent to distant markets where much of it competes with commodities originating but a short distance from the chief marketing centers of the United States. It is necessary for the California grower to produce a better product if he is to sell in areas which otherwise might fill their requirements for the same commodity locally. In order to absorb transportation and refrigeration and other costs incident to long shipment, the California grower must produce in large quantities. It is essential that all branches of agriculture cooperate for their common good if we are to continue the trade supremacy which has been created in the past decade. The Department of Agriculture has had a definite influence toward this end, and with continuation of the present policy of intimate cooperation between the department and industry, this happy condition should continue.

VARIOUS AIDS TO AGRICULTURE.

Agriculture Requires Careful Legislative Consideration.

During the past four years legislative and administrative branches of the State have given agriculture the earnest consideration due an industry upon which a large part of our California population is dependent for a livelihood. The value of our farm output is nearly \$800,000,000 annually. An industry so basically important should receive all possible aid from government in the solution of problems affecting its welfare. Our farming industry has grown tremendously since the World War. Necessarily the Department of Agriculture has kept pace with the growth of the industry it serves. If it had lagged, farming and all other interests would have suffered. Much of the burden of cost of this increased service has been assumed by the farming industry. I know of no finer endorsement for the principles and practices of the Department of Agriculture than this voluntary assumption by the farmers of a major portion of the cost of their own regulation.

State Board of Equalization Is Stabilizing Agency.

The 1929 Legislature created the State Board of Agriculture at the request of my administration and of a majority of farm interests. This board, designed to create confidence in the integrity and continuity of department policies, is directed, by the act creating it, to advise with the Governor and the Director of Agriculture regarding agricultural problems. The act provides that, after appointment of the initial membership, a majority of the board's members can not be named during any one administration. Further provision is made that no two members shall be from any one county or congressional district, nor represent the same branch of agricultural industry. The law requires that members of the board shall be active in the industry they represent. Accomplishments of this board during its first year are the best evidence that a real need was met by its organization. It was composed of men who are really representative of California agriculture and who are actuated by a desire to serve the farming industry. If policies which the board has formulated are given the full support of farming interests, the service rendered farmers by the Department of Agriculture should continue to meet the needs and desires of the industry.

Cooperation with Federal Government.

Much of the strength and stability of the department is based upon the strong cooperative agreements with the United States Department of Agriculture which have been made during recent years. Certainly this coordination of federal and State forces has made for greater efficiency and economy. By means of this union of governmental strength and effort our quarantine, standardization, shipping point inspection, dairy control and various phases of marketing activities are furthering the direct mandate, not only of the California people but of the federal government as well. This cooperative program, moreover, has the important effect of eliminating duplication of effort by enabling the same forces and equipment to handle both State and federal duties.

PROTECTION AGAINST PESTS AND DISEASES.

Mediterranean Fruit Fly Danger Abated.

California growers who feared that the Mediterranean fruit fly would find its way into the State will find reassurance in results of federal operations in Florida during the past year. While a heavy and widespread infestation by this most damaging of fruit pests was reported in 1929, intensive inspection resumed by federal authorities last June indicate that the fruit fly is well under control in Florida, if not actually eradicated. California has benefited directly from precautions taken against spread of the fly to this State. State-wide surveys conducted by the Department of Agriculture in 1929 and again this year indicate that, should a major pest of fruits or vegetables succeed in eluding the vigilance of border

inspection, it is unlikely to remain undetected for a sufficient time to permit it to become established here.

Border Inspection Proven Value.

This past danger of Mediterranean fly infestation of our State proves the value of our border inspection service, which the State has maintained in connection with its quarantine policies for many years. As a final precaution against possible economic loss should the fly ever find its way into the State, the department, in cooperation with federal and county authorities and of the farming industry, has conducted experiments to establish means of processing deciduous and citrus fruits and fruit-like vegetables. Thus if the State is invaded by the fruit fly, it is confidently expected that by means of these treatments our extensive commerce in these products can be continued without disastrous interruption while eradication is taking place.

Pest Control a Necessary Function.

The wide range of climatic conditions and the large number of crops produced offer a possible environment for pests from many other countries; and these probably would find a foothold here were it not for enforcement of plant quarantine regulations, particularly at our ports and border stations. Increasing commerce by water and rail, together with the large number of automobiles from other states, is increasing our responsibility in this regard. During the past two years, agricultural inspection and motor vehicle stations have been combined at our points of highway entrance as a means of decreasing delay to which tourists must be subjected, and of giving them as favorable a reception to California as possible. Recently a new inspection station which is intended to serve as a model for stations constructed in the future was opened at Yuma.

Protective Position Strongest in History.

The fundamental soundness of the department's agricultural protective policies has never been more apparent than at this time. While border and port inspection has maintained a barrier against intrusion of many pests and diseases inimicable to the farming industry, surveys and systematic intrastate inspections have given further assurance that the State is not likely to be caught unaware by damaging infestations and infections. The campaign against citrus white fly, which several years ago appeared as a formidable pest, has so progressed that areas which must be sprayed this season represent but a small fraction of the territory formerly infested. Results of a recently completed survey indicate that the dietyospermum scale, which it had been feared was of great potential damage to the important and growing avocado industry of southern California, is not to be considered as a major avocado pest at this time.

Cotton Growers Reassured.

The pink bollworm, one of the most destructive of cotton pests, appeared in Arizona last year. There was imminent danger of its spread, by means of both natural flight and transportation, into California. Federal authorities have conducted an effective campaign against the pink bollworm in Arizona, but until it has been eradicated there California must be on the alert against its introduction. Federal-State cooperation affords means to reassure cotton growers of the State that the pest is not present. Supplementing rigid border inspection maintained against the pink bollworm, four new and remarkably efficient mechanical detectors were secured by the department from federal authorities for use in California cotton gins. These machines did not detect a single specimen of the pest in gin trash during the ginning season just ended.

LIVE STOCK AND DAIRYING.

Foot and Mouth Disease Eradicated.

An outbreak of foot and mouth disease, the most serious epidemic known to the cattle industry, demonstrated the efficiency of California's system of protection against animal diseases. While a former outbreak in California of this disease was not eradicated until it had swept through many sections of the State and had caused heavy economic losses, the experience then gained contributed to such an extent that the 1929 occurrence of this disease was of brief duration. Actual eradication was accomplished in 60 days at a total cost to the State of \$122,000 as compared to approximately \$3,000,000 spent in stamping out this disease during 1924-26.

Indemnification Authority Given Legislature.

Authority for the Legislature to provide funds for indemnifying owners of live stock which is slaughtered as a means toward eradicating or controlling communicable animal diseases was voted at the recent election. While this constitutional amendment affords effective means of procedure in state-wide crises, such as arose during the foot and mouth outbreak of 1924, it can and undoubtedly will be used to hasten eradication of bovine tuberculosis. Tuberculosis has a tremendous bearing on our health problem because of the universal use of milk as food, and has long been a cause of heavy economic loss to the dairy and other live stock industries.

Even if the Legislature sees fit to provide funds for this work in compliance with the implied wish of a majority of the State's voters, because of the magnitude of the task involved it can not be assumed that bovine tuberculosis will be eradicated except by means of a stiff, uphill fight, over a period of years.

State's Dairy Control Has High Rating.

Dairy control administration, as practiced in California, not only has resulted in giving the State the highest quality of milk and milk products, but has caused our dairy regulations to be accepted by federal and many other authorities as a model organization. By means of cooperation with State and county health departments more than 96 per cent of the State's population now is assured a wholesome market milk supply. Similarly, more than 80 per cent of all manufacturing milk and cream is graded under State supervision for quality on a definite scientific basis. The State's milk score card averaged 94.86 for the year 1929 when there was every indication for an increase in 1930 of this rating, determined by the Federal Department of Agriculture.

Study of Poultry Diseases Begun.

Acting at the request of the poultry industry, which deserves rating as among the important agricultural enterprises of the State, the department, cooperating with the University of California, has begun study of diseases which have seriously affected the poultry interests, particularly of the north bay counties. The department is administering a trust fund which will meet the costs of this research.

AIDS IN MARKETING.

Enforcement Acts Need Strengthening.

The Produce Dealers Act and the Deciduous Fruit Dealers Act, enacted in 1927 and 1929, respectively, to protect growers and sellers in their marketing relations have been vigorously enforced during the past two years in spite of difficulties due to weakness in both statutes. Much fraudulent practice on the part of unscrupulous buyers has been stopped with resultant saving to growers. The Deciduous Fruit Dealers Act recently was declared unconstitutional by a superior court, and its revision into workable law is urged.

Market News Service Assists Growers.

Growers of many of our 180 principal crops have benefited from the market news service inaugurated two years ago. Utilizing reports from all parts of the nation and principal marketing centers of other countries as furnished daily by federal leased wires, the Division of Markets is informing growers of a large number of commodities about price and other market news by means of a short wave telegraphic system. Eight radio sending and receiving stations, so located as to give the greatest possible service to growers, are in daily use, and this number may be increased as industry demands and conditions warrant. The right of California agriculture to continued use of five short radio waves which the Federal Radio Commission had allocated for agricultural use recently was reaffirmed following a hearing held in Los Angeles. At this hearing all agricultural interests of the State joined in defense of their rights to use of air channels.

Standardization Aids Marketing.

One of the most important aids in marketing California's fresh fruit and vegetable crops is the Fruit, Nut and Vegetable Standardization Act. This act was passed in 1927 and amended in 1929, and now furnishes the minimum requirements for quality and pack of approximately thirty commodities. Valuable to growers and shippers as this law has proved to be, there is urgent need for its general revision at this session of the Legislature. One very tangible benefit of the Standardization Act shared by consumers and growers is the seasonal system of highway inspections by means of which all truck loads of fruits and vegetables en route to our principal metropolitan areas are inspected. Twelve of these stations have been maintained during the past season, and as a result of their scrutiny quality standards of produce for local consumption have been raised materially in the larger urban areas. No changes are planned in the California Canned Fruit Standardization Act, enacted in 1925, which provides for inspection of canned peaches, apricots, cherries and pears. This law is being enforced satisfactorily and has the approval of growers, canners and the California Cannerymen's League.

Shipping-Point Inspection Guarantees Quality.

Just as standardization has measurably increased California's market horizon by providing known standards of quality for agricultural produce, shipping-point inspection has strengthened the State's marketing possibilities by certifying the quality of produce at the time of shipment. This joint Federal-State service is being more universally used each year as growers appreciate the value of shipping-point inspection certificates in marketing their produce.

Field Crops Follow Standardization Trend.

Continued growth in popularity of grain and hay inspection has developed some points in the law which may call for remedy if the trend toward standardization of

these products is to keep pace with the general movement to standardize most agricultural produce. A beginning made in shipping-point inspection of alfalfa hay has been welcomed by growers and the trade alike. Bonded warehouse service offered by the State is meeting a demand for improved collateral provided by bonded warehouse receipts. Clarification and extension of the Seed Testing Law will be needed if farmers are to be afforded the protection against infertile or otherwise faulty seed which the statute originally sought to provide.

LAND SETTLEMENT.

Land Settlement Affairs.

One of the duties given my administration by the last session of the Legislature was that of proceeding as rapidly as possible to wind up the affairs of the two land settlement colonies of the State at Durham and Delhi. This has been a very difficult problem due to the different conditions prevailing at these two colonies. The Durham colony as originally established gave some promise of success to those who entered upon it, and has suffered largely because of the changed conditions brought about by the introduction of irrigating water and the consequent change of the water plane underground. Delhi, owing to the poor quality of a considerable part of its soil, never had much chance of succeeding. Both colonies have suffered through the general agricultural depression. The matter of bringing to a termination these two enterprises was placed in the hands of the Land Settlement Board, consisting of the directors of the departments of Finance, Public Works, and Agriculture. It is not my purpose to enter upon any discussion of the wisdom of such enterprises in general, nor of these in particular, but merely to say that the affairs of these two colonies are being wound up as rapidly as possible, and that complete success is ahead in so far as the State retiring from such an enterprise is concerned.

State Definitely En Route to Retirement from Colony Proprietorship.

Retirement of the State as proprietor of the land settlement projects at Delhi and Durham was definitely determined upon after full investigation, and in the light of unsuccessful efforts to remedy financial conditions which had grown steadily worse almost since inception of the State's colonization policy more than a decade ago. The policy of retirement is being carried out along lines of a program which considers the best interest of the settlers in these colonies and of the State as a whole. Its consummation will relieve the State of continued obligatory land settlement administration for the next 15 or 20 years.

Retirement Authorized by Legislature.

The 1929 Legislature legalized such retirement and provided authority therefor. Saving of \$23,000 was made by applying an emergency appropriation of \$185,000 as settlement in full of contract of purchase for lands from Stanford University on which \$208,000 was owing. An additional appropriation of \$150,000 was made to meet expenses of operation to the time of consummation of the readjustment program. Legislative enactment also legalized formation of an improvement district to take over the colony irrigation system at Delhi. This district has been organized and the irrigation system has been transferred thereto. The Durham Mutual Water Company, Ltd., has been incorporated to take over the colony irrigation system at Durham.

Retirement Widely Approved.

Physical appraisal by qualified appraisers of every unit of property in both colonies was made the foundation step of readjustment procedure. Detailed plans for adjustment of settlers' contracts with the State and for State withdrawal were then worked out and approved by the State Land Settlement Board. The terms of adjustment were approved by a very large majority of settlers in both colonies. This readjustment program involves nearly 400 colonists and approximately 14,000 acres of land in Durham and Delhi, with all the conflicting factors to be found in colonization projects and with additional problems peculiar to State land settlement.

Order Brought from Chaos.

Since the Department of Agriculture took over land settlement administration August 1, 1927, it has been transformed from a chaotic condition of dissension, controversy, litigation and threatened litigation between the settlers and the State, to a condition of orderly process of readjustment of settlers' obligations with retirement of the State as proprietor of the colonies in immediate prospect. Under the program of readjustment now believed to be nearing its conclusion, the State's unrecoverable cost in connection with its two land settlement ventures will approximate \$2,300,000 exclusive of interest.

WEIGHTS AND MEASURES.

Just Measurement Laws Enforced.

Public benefits of strict enforcement of statutes regulating measurements and weights in agricultural and commercial dealings is increasingly apparent. From a small beginning this service has grown until its direct and indirect benefits are measured by annual savings of many thousands of dollars to consumers of food-stuffs, stock feeds, fuel and, in fact, practically every commodity sold in the State.

More positive jurisdiction given the Division of Weights and Measures by the last Legislature has resulted in marked improvement of conditions surrounding sale of motor vehicle fuel and oil, both as to just measure and substitution of inferior products.

Honest Weight Protects Public.

Every morsel of food and many articles needed for our daily life must pass over scales which, if they are not accurate, will cause great loss to the growers, buyers or consumers. Benefits resulting from thorough and systematic check made of public weighmasters' scales by the department have gone far toward assuring equitable and honest dealings. This accuracy of weighing equipment means much to the producer of agricultural commodities, as his returns and likewise the freight charges for moving his products are directly affected.

Furniture and Mattress Supervision.

Continued protection against use of insanitary material in mattresses and furniture has resulted in more uniform compliance with laws governing manufacture of these articles under the division's enforcement policy.

DEPARTMENT OF EDUCATION.

DIRECTOR, VIERLING KERSEY.

Emphasis upon the functions of the State Department of Education as a service organization led, during the past biennium, to considerable expansion of the activities of the department for the purpose of rendering specific aid to the public schools throughout the State. Reallocation of responsibilities to the several staff members, and closer coordination between divisions within the department and between the department and educational and lay agencies in the field, have resulted from the reorganization of the department and the new stress on its service activity.

STATE BOARD OF EDUCATION.

Functions of Board.

The School Code of California, enacted by the Legislature of 1929, gives to the State Board of Education the governing and policy-determining functions of the State Department of Education. In the exercise of these functions, the State Board of Education enacts rules and regulations for the government of the public schools of the State. The public schools include kindergartens, elementary schools, secondary schools (junior high schools, high schools and junior colleges), and teachers colleges.

High School Graduation Requirements.

In order to meet the needs of the large numbers of nonacademic students enrolled in the high schools of the State, the State board has modified its rules and regulations to provide more liberally for these students. Thus it has authorized general science, industrial science and home-making science to be accepted in lieu of laboratory science previously required of all high school students for graduation. In addition, vocational subjects were authorized to be accepted as high school majors, thus enabling students to graduate from high school with a well organized program of vocational study.

Policy Concerning Administrative Units.

As a result of petitions presented to the State Board of Education asking approval for the withdrawal of certain elementary school districts from high school districts as provided by law, the State board has adopted a policy as expressed in a resolution in favor of larger rather than smaller units of school administration, and in opposition to withdrawal of elementary school districts from high school districts to form new high school districts.

California Historical Association.

In 1927 the Legislature made the State Board of Education trustees for the California State Historical Association. This body has as its purpose the promotion of interest in and the dissemination of knowledge of the history of California. It publishes a magazine, *The California History Nugget*, eight times yearly, and occasional papers relative to California history.

FUNCTIONS OF DEPARTMENT.

Superintendent of Public Instruction.

The executive and administrative functions of the State Department of Education are exercised by the Superintendent of Public Instruction. The superintendent is elected by the people and serves ex officio as Director of the State Department of Education. The present Superintendent of Public Instruction, Vierling Kersey, succeeded William John Cooper upon the resignation of the latter to accept appointment as United States Commissioner of Education.

Enlarged Services of the Department.

During the biennium the Department of Education engaged in many new activities for the purpose of rendering greater service to local school communities. These activities were largely in the nature of conferences and surveys for the solution of local problems.

Expanded Technical Service.

An expanded technical service was inaugurated through the employment of Mr. Alfred E. Lentz, J.D., as associate chief of the Division of Research and Statistics. Mr. Lentz was primarily responsible for the drafting of the present School Code of California and serves the department as a research specialist in school law.

Statistical Studies.

Numerous special statistical studies have been completed by the Division of Research and Statistics upon requests received from local school officials as an aid in solution of pressing local problems.

Publications.

One of the major additional services undertaken has involved an expanded program of publication. A monthly publication of the department, *California Schools*, has been issued since January, 1930, as a vehicle for conveying to school officers official communications concerning legal interpretations, current professional announcements, and significant facts concerning the public schools. In addition, nearly sixty publications bearing on specialized problems have been issued.

Departmental Policies and Program.

The establishment of State-wide policies relative to specific phases of public education and the development of a unified State program of education has occupied much of the time of departmental staff members throughout the biennium. This activity has been conducted by means of numerous conferences of school officials held throughout the State, with the result that generally accepted policies have been determined relative to the purposes and functions of junior colleges; the place of the junior high school; the financial needs of the public schools; and the necessity for larger units of school administration.

LEGISLATION.

Enactments of 1929.

Legislation enacted in 1929 resulted in the following major changes in the State laws governing the public schools:

1. All existing legislation affecting the schools was brought together and reenacted as the School Code of California.
2. A commission of nine members was provided for, to be appointed by the Governor, to study the educational, geographical, financial, and organizational problems of public education. An appropriation of \$50,000 was made for the conduct of this survey.
3. The funds available for supervision of instruction in rural schools were increased.
4. Additional funds were made available to supplement the inadequate State Junior College Fund, and standards for formation of junior college districts were materially increased in order to prevent too rapid development of these institutions.

Legislative Recommendations.

Careful study of the effect of existing legislation concerning the public schools, together with advice developed in regional conferences, points to the necessity for legislative action clarifying existing provisions of the School Code and providing remedy for undesirable conditions. The major items of legislative need, as seen by the Department of Education, include the following:

1. Clarification of the School Code to eliminate contradictory sections, remove ambiguities and repeal inoperative sections. It is not the intent of this recommendation to suggest a redrafting of the existing School Code. Rather it is the intention to make effective the intent of the legislation which has been incorporated in this School Code.
2. Revision of teacher tenure legislation to eliminate the many injustices to teachers and children resulting from the operation of those sections of the School Code commonly designated as the Teachers' Tenure Act.
3. Equalization of educational opportunities and burdens of district and county taxes for schools by providing a State Equalization School Fund; State aid for kindergartens; and classification of all grades of the junior high school as high school grades, to receive State and county aid as high schools.
4. Liberalization of present provisions relative to pupil transportation, and possible participation by the State in the costs thereof.

SPECIAL ASPECTS OF EDUCATION.

Education of Handicapped Children.

In addition to the educational facilities available at the California Schools for the Deaf and the Blind, provision has been made for the education of many handicapped children as a result of legislation of 1927 providing special State and county aid therefor. During the biennium, approximately \$425,000 was made available

for this work, one-half of the amount being given by the State and one-half by the counties. Approximately one thousand children suffering physical handicaps were given instruction as a result of the funds thus provided.

Adult Education.

The extremely rapid growth of the adult classes in elementary and high schools is indicated by the fact that since 1927 these classes have increased 50 per cent in enrollment, the enrollment during 1929-30 being very nearly 300,000. The purpose of the adult education program as originally established was the Americanization of foreign-born adults. The modern adult classes strive to give to the adults enrolled that aid in personal development which they individually need. The program at present has been extended to embrace all types of discussion groups; a rapidly growing group of classes for aiding parents in the study of their own children; and all types of classes serving local community needs. The classes in parent education alone enrolled during the biennium nearly 1000 fathers and approximately 15,000 mothers in 349 separate classes.

Immigrant Education.

The education of the foreign-born immigrant has not been discontinued. In 1929-30 there were nearly 54,000 illiterate adults enrolled in the special classes organized for these people in high schools.

City Secondary Schools.

The most significant activity of the Division of City Secondary Schools during the past biennium is found in the cooperative attack developed on local problems in regional conferences. These conferences were employed to develop evaluations of local programs of education; to train special groups in conference leadership; to adapt the conference procedure to curriculum making; and to develop specialized materials in the nature of handbooks for continuation education and for school counselors.

Business Education.

A Bureau of Business Education was established in the State Department of Education in July, 1928, to conduct a continuous survey of business education and employment opportunities, and to develop courses in business education to meet employment needs. During the biennium, the bureau has developed numerous courses and has instigated special surveys of business education. In February, 1930, a survey showed a total of approximately 151,000 course enrollments in business subjects in high schools and junior high schools. In high schools, the commercial subjects most frequently taken were typewriting, bookkeeping, shorthand, junior business training, business law, economic geography, business mathematics, salesmanship, office practice, and business English. In the junior high schools, the commercial subjects most frequently taken were typewriting, junior business training, and penmanship.

Vocational Rehabilitation.

The State Department of Education administers a program of vocational rehabilitation of persons injured in industry or otherwise. This program, during the past six years, has given vocational training to 1554 individuals who otherwise might not have been capable of self-support. Of this number 1275 have actually been rehabilitated in vocational employment. The total number of individuals rehabilitated through this joint federal and State aided program was 1776 at the close of the biennium. Some 3000 others were given assistance in vocational readjustments. During the past biennium—a period of rather unusual economic depression—501 disabled persons were rehabilitated and placed in industry. The average wage earned by rehabilitated persons is over 2 per cent greater than the wage earned by the same individuals before injury.

VOCATIONAL EDUCATION.

Vocational Fields.

The California program of vocational education is limited to the secondary school field, and is almost entirely organized under the provisions of the federal Smith-Hughes Act, and is therefore supported by the State and national governments, in addition to the amounts made available by local taxation. The Smith-Hughes vocational program embraces three major fields: Vocational agriculture, trade and industrial education, and home-making education.

Agricultural Education.

The agricultural education program is administered as part of the work of the Division of Rural Education, and is the only portion of the vocational program which is developed in elementary schools as well as secondary schools. The most outstanding achievement in agricultural education has been the organization of the Future Farmers of America, which includes all boys and girls enrolled in agri-

cultural courses in the high schools of the State. This organization is now a national organization. In California it has developed a very extensive program including annual exhibits at the State Fair and at all county and regional fairs. The sale of live stock at two fat stock shows in 1929-30 netted members of the organization over \$19,000. The agricultural education program involves farm projects yielding over \$300,000 each year to the high school boys and girls; instruction in urban secondary schools to give appreciation for and understanding of such problems as quarantine laws, water conservation, rural economics, and other farm problems; a program of nature study and elementary appreciation of agriculture for elementary schools; and an extensive program of teacher training.

Industrial Training.

The trade and industrial education program involves five major activities. These include classes for full-time students majoring in trade and industrial subjects; trade preparatory classes; trade extension classes; evening school classes; and cooperative continuation classes. Over 23,000 students were enrolled in these various types of trade and industrial classes in 1929-30, the largest number 10,712, being enrolled in evening high school classes. In addition, the program involved the training of 187 vocational teachers during the year.

Home-Making.

The home-making educational work involves a program of teacher training and an extensive program of instruction in home-making subjects in the secondary schools. The instructional program includes classes for full-time day students, special afternoon and evening classes for women, and all-day programs involving supervised home projects for specially selected groups of girls over 14 years of age. The most remarkable part of this program is that which is devoted to adults in afternoon and evening classes. These classes enrolled in 1929-30 more than 12,000 women, of whom less than 1000 were of foreign birth. Over 10,000 were married women of established residence in the community.

DEPARTMENTAL ACTIVITIES.

Research and Statistics.

During the past biennium, considerably expanded service has been rendered by the State Department of Education to school officials throughout the State in the form of special studies bearing upon local school problems. Comparative studies of groups of cities and school districts have been completed and numerous publications issued for the purpose of extending this type of service.

Special Studies.

Some of the studies completed and issued in printed form include the biennial statistics of the several counties of the State; statistics of city school districts; directories of secondary schools; and numerous special studies published in the State Department of Education bulletin, *California Schools*. Among the problems studied upon special request were included numerous studies of public school finance; special comparative data for selected school districts; analyses of legal provisions relative to school finance and special educational facilities; studies of practices in secondary schools; and a complete analysis of public school finance in California.

Rural Education.

The progress of education in rural communities is slow and unnecessarily impeded by the large number of one-, two-, and three-teacher schools, which might readily be eliminated by consolidation or unionization procedures. Low assessed valuations in hundreds of tiny school districts render adequate local aid for schools impossible; while inadequate provision for State and county aid prevents the development of the rural schools on a par with those maintained in urban communities. The problems of rural education can not be solved until larger units of school administration are accomplished, increased proportionate State aid is secured, and the many unnecessary small schools are eliminated.

Demonstration Schools.

Improvement of actual instruction in rural schools is being brought about as a result of increased State and county aid made available for rural school supervision. A system of State demonstration rural schools under the direction of the State Department of Education is making available methods and techniques of instruction adapted to secure the best results in rural schools. Twenty such demonstration schools were operated during 1929-30 in eleven different counties.

Aid for Migratory Children.

In connection with the Division of Rural Education, the Bureau of Attendance and Migratory Schools exercises supervision over special schools for the children of migratory laborers engaged in agricultural occupations. Special State and county aid, amounting to approximately \$11,000 per year, assists the local communities in providing for the educational needs of these children.

TWO IMPORTANT DIVISIONS.

Health and Physical Education.

California's State laws require the teaching of health and physical education in all public schools of the State. This requirement is an outgrowth of the condition of physical disability discovered among the young men called in military service during the World War. The present program of the State Department of Education contemplates unification of the athletic activities of the high schools and all other health and physical education activities and instruction. A first step has been taken in this direction by raising the requirements for teachers' credentials in this field so that persons trained only in competitive athletics no longer qualify to serve in this field.

Curriculum Established.

During the past year, the Division of Health and Physical Education developed and published a bulletin setting up the content of a five-year curriculum for teachers of physical education. In addition, a manual was published setting forth the health and physical education program for elementary schools in California.

Schoolhouse Planning.

The specialized service rendered by the Division of Schoolhouse Planning has resulted, during the past biennium, in the checking of 188 schoolhouse plans, involving expenditure of approximately \$5,000,000. This service has been rendered to elementary and high school districts in almost every county in the State. The demand for the service is so great that it is impossible for the division to keep abreast of its work. Surveys made by the division indicate that there is a vast field which has hardly been touched, and in which possibilities exist for tremendous savings to the people of the State. Moreover, the value of the service in terms of improved educational practice is immeasurable. The division has developed numerous standards for various types of schoolhouse facilities. In the work of this division it has become very apparent that present methods of financing schools make it almost impossible to provide adequate educational facilities in the large number of small districts of which the assessed valuation is extremely limited.

Teachers College Plans.

A part of the service of this division has been given in the development of building and site plans for the State Teachers Colleges. This work has gone forward in cooperation with the Department of Public Works, and has resulted in very considerable economic and educational improvement. A tentative ten-year building program has been developed for the purpose of providing adequate facilities for the seven State Teachers Colleges and the State schools at Berkeley and San Luis Obispo.

TEACHER TRAINING.

High Standards for Credentials.

One of the most important functions exercised by the State Department of Education is the conduct of a unified program of teacher training. This program is carried on through seven State Teachers Colleges, the State University, and a group of nine privately endowed colleges and universities and seven specialized private schools. The maintenance of high standards of teacher training, the development of standard requirements for State teachers' credentials, and the placement of the responsibility for recommendation of individuals for credentials upon the teacher training institution, are the major phases of the activity of the Division of Teacher Training and Certification during the past biennium.

State Teachers Colleges.

The seven State Teachers Colleges of California have as their object the education of teachers for the public schools of the State. The Superintendent of Public Instruction is the chief administrative officer in charge of the State Teachers Colleges, while policies relative to teacher training and the State Teachers Colleges are established by the State Board of Education.

Four-year Teacher Training Curriculum.

The teachers colleges are located at Arcata, Chico, Fresno, San Diego, San Francisco, San Jose, and Santa Barbara. Originally these institutions were established as State Normal Schools, and provided a two-year curriculum for the training of elementary school teachers. The work of the institutions has been expanded by introducing specialized phases of training, including kindergarten-primary training, elementary and junior high school curricula, and special secondary curricula in such fields as art, music, home-making, industrial arts, and physical education.

During the past biennium, the period of training for elementary school teachers has been increased from two to three years, and is now being advanced to a full four-year course culminating with the Bachelor's Degree.

Expansion of Teacher Training Curricula.

Special services have been introduced in order to provide supervisory and administrative training for teachers of experience. Moreover, the lower division work has been broadened to cover the full lower division work of the liberal arts college. As

a result, careful guidance and direction have resulted in a higher type of selection of candidates for the teaching credentials. This activity has resulted also in the direction of numerous students away from the teacher training field into allied fields such as librarianship training. This development in the teachers colleges has resulted in considerable increase in lower division enrollments, since the lower division has thus become virtually a liberal arts junior college, drawing many students who heretofore have not been attracted into teacher training.

LIBRARY AND SPECIAL SCHOOLS.

The State Library.

The Legislature of 1927 made the State Library a division of the State Department of Education, the State Librarian becoming chief of the Division of Libraries. The State Library has continued its activities during the biennium, those activities being expanded and enhanced in value as a result of the occupation of the new State Library and Courts Building. Outstanding among the activities of the State Library is the service which is rendered to the people of the State through California's unique county library system, which embraces 46 of the 58 counties of the State. A second unique service rendered by the State Library is that performed by the Books for the Blind Department, which makes available to blind readers manuscripts and books in Braille. A third very important service is that which is provided by the Law and Legislative Reference Department to members of the Legislature and to other State officials.

State Special Schools.

Entrusted to the administration of the State Department of Education, a group of four State special schools offers educational services for specialized groups of students. These include the California State Nautical School at San Francisco, which is at present in process of organization; the California School for the Blind and the California School for the Deaf, at Berkeley; and the California Polytechnic School, a technical and agricultural institution of secondary grade, at San Luis Obispo. The State Nautical School was created by legislation enacted in 1929 and will provide training for prospective officers for the American Merchant Marine. A school ship will be available to provide all types of maritime training. The California Schools for the Blind and for the Deaf at Berkeley enroll only those blind or deaf children, or those with extreme defects of vision or hearing, who are sufficiently normal in mentality to profit by instruction. The California Polytechnic School provides high school and junior college training in agriculture, aeroplane construction, mechanics and engineering.

UNIVERSITY OF CALIFORNIA.

Every year the University of California comes into contact with an increasingly large number of individuals. The total number of full-time students this year at Berkeley, Los Angeles, and other university units, will be close to 19,000. This does not count the more than 9000 students in the summer sessions on the northern and southern campuses, nor the approximately 40,000 adults registered in the University Extension Division. Added to this there is a still vastly larger number of farmers and farmers' wives who are served through the Division of Agricultural Extension.

Number of Graduates.

Degrees conferred during the biennium totaled 2983 in 1929 and 3282 in 1930, an increase of 462 over the previous two years. Added to this were about 300 certificates of teacher training and other curricula. As I said in my previous message, this increasingly large number of graduates indicates the constant progress in the university's chief function—the higher education of the young men and women of the State.

Continuous Progress in Los Angeles.

In September, 1929, the University of California at Los Angeles transferred its portable properties and activities from the old campus on Vermont avenue to its new campus near Beverly Hills. The original Vermont avenue campus was sold for the sum of \$2,000,000 to the school board of Los Angeles, and is being used by the city as a junior college. Payments are being made in five equal installments, and the Legislature has authorized that the money as received shall be expended for improvements on the new campus. In order to provide a building for the Teachers College, the Legislature at last session advanced to the University Regents the sum of \$520,000, to be repaid to the State treasury from future sales of the fifteen-acre annex to the Vermont avenue campus. The new campus was formally dedicated late in March, 1930, in the presence of the representatives of some 200 other colleges and universities and of many leading citizens and delegates from various organizations.

UNIVERSITY BUILDINGS COMPLETED.

New Buildings In Berkeley.

Both from generous gifts and from the university bond issue of 1926, there has been great building activity on all the campuses, especially at Berkeley. Among the new buildings may be mentioned (1) the new Life Sciences building, planned to house at least a dozen departments, such as botany, zoology, etc., completed and occupied during the first half of 1930; (2) Giannini Hall, gift of the Bancitaly Corporation to house the activities of the Giannini Foundation of Agricultural Economics, also completed in 1930; (3) the new infirmary, known as the Ernest V. Cowell Memorial Hospital, placed in service in July of last year, and bringing relief from the serious fire risks of the past two decades; (4) Bowles Hall, the first campus dormitory, the gift of Mrs. Philip E. Bowles in memory of her husband, a former University Regent; and (5) the International House, generously provided by Mr. John D. Rockefeller, Jr., at a cost of \$1,800,000 as a place of residence of more than 400 students, American and foreign, with the thought that their commingling will help to promote better understanding among their respective nations.

Buildings at Los Angeles.

(1) Royce Hall, embracing an especially beautiful auditorium, together with many administrative offices and lecture rooms, was finished in 1929; (2) the Library, Physics, and Chemistry buildings, each designed as an incomplete structure to be finished as needs demand and funds permit, were all made ready for occupation in 1929; (3) a splendid building to meet the needs of the Teachers College was completed early in 1930; and (4) a large building to house mechanic arts and campus administration was erected during the same year.

New Buildings at Davis.

A new major building on the campus of the Davis Branch of the College of Agriculture, to house the principal teaching and research services in animal husbandry, was completed in 1929.

BUILDINGS UNDER CONSTRUCTION; GIFTS.

At Berkeley.

A building for the new central heating system has been in process of erection through the year 1930. Two much-needed buildings for the College of Engineering are now being erected at a cost of nearly \$700,000, the unexpended remainder of the Berkeley portion of the university bond issue. The Eshleman Memorial Building, to provide a home for all student publications, is now under construction. Its cost will be \$250,000, half of which was appropriated at the last legislative session, and half contributed by the Associated Students in Berkeley.

At Los Angeles.

Kerckhoff Hall, the gift of Mrs. Wm. G. Kerckhoff to the amount of \$750,000 which is now approaching completion, will be the social headquarters for faculty and students, as well as the administrative headquarters for all student activities. The Mira Hershey Hall, a residence hall for women students, as provided in the will of Miss Hershey, recently deceased, is also under construction.

Elsewhere.

The new central heating plant, for the service of the Medical School, College of Dentistry, College of Pharmacy, and the Hooper Foundation in San Francisco is under process of construction. A new laboratory building at La Jolla, to meet the needs of the Scripps Institution, is being built, one-half the cost having been appropriated by the last Legislature, and the other half having been given by "A Friend."

A Generous Public.

Aside from the buildings enumerated above, a truly remarkable stream of gifts and bequests continues to pour in upon the university. The published list of these gifts, described in very abbreviated form, as given out on Charter Day, has each year filled a printed pamphlet of generous size. The items include financial foundations for professorships, a surprisingly large number of scholarships and fellowships, provisions for the support of research in many fields of knowledge, valuable additions to the museums, books for the university's libraries, scientific instruments, and the like. Special mention should be made of gifts in support of researches looking toward the prevention and cure of such dread ailments as cancer and spinal meningitis.

SOME RESEARCH RESULTS.

Much Research Activity.

The members of the various university faculties devote to a search for new knowledge in their respective fields not only much of their vacation period, but throughout the year such of their time and energies as remain after their teaching services have been rendered. There have been noteworthy research accomplishments in essentially

all parts of the university during the last biennium, and an adequate description of them might well be termed a romance of achievement. Only a small fraction of these results can be mentioned here.

Work in Agriculture.

The College of Agriculture, in proportion to its generous support from the State, has made many contributions to the science of agriculture in the interests of the farm industry. It is not possible to do justice to the list of such accomplishments in the small space here available, and those interested are respectfully referred to the annual reports of the Dean of the College of Agriculture, as contained in the reports of the president of the university for the academic years 1928-29 and 1929-30, and as printed separately. Just a few of the many investigations might be mentioned; as, for instance, methods and equipment for the most efficient and economical handling of grain; precooling of fruit; rural sanitation and sewage disposal; barns and equipment for California live stock; rural home designs for the farm interior valleys in California.

Public Health Research.

The School of Medicine through its Division of Anatomy, its Division of Biochemistry and its Division of Physiology has made many experiments which will undoubtedly be of basic value in bringing new light to bear upon various problems of medical science. Particularly has the Hooper Foundation for Medical Research made noteworthy contributions to the understanding and solution of problems growing out of leprosy, cerebrospinal meningitis, undulant fever, mussel poisoning, and the botulism which has so frequently in the past caused concern respecting improperly prepared canned fruits, vegetables and fishes.

Some Practical Achievements.

The Department of Zoology has devoted much time to the study of termites (sometimes called white ants), which have been causing extensive destruction of the wood in house foundations, telephone poles, etc., in California and elsewhere; thus gaining a better knowledge of the habits and qualities of the termites as a preliminary to the devising of effective means of fighting these expensive pests. The testing laboratory in the School of Engineering has continued to extend its researches into the properties of various materials of construction—particularly of concrete—with results of far reaching importance. In the Department of Physics there have been developed improved methods of observing absorption of sound by the walls upon which the waves of sound fall, with results very useful in the designing and equipping of large rooms with good acoustic qualities.

Child Study.

The Institute of Child Welfare has been studying the development of some 1200 infants, preschool children, and school children in communities adjacent to Berkeley, with reference to psychology, child hygiene, social science, public health, nursery school training, nutrition, and early education, with results which will ultimately be of great interest, especially to the women of the State.

Publications.

A noteworthy list of publications by members of the various university departments deserves a word of mention. Among these is a five-volume history concerning the expeditions from Mexico to found San Francisco; a book written by a member of the Department of Philosophy, which is regarded as an outstanding contribution in that field; a critical study of the works of Cervantes from the Department of Commerce; valuable studies by the School of Education of school taxes and school funds in each of the 48 states; and a systematic study by the Department of Anthropology on the Indians of California, which has resulted in possibly a more exact knowledge of the Indians of this State than in any other part of the American continent.

Other Scientific Studies.

The list of achievements in scientific research and the additions to the sum of human knowledge which the university has contributed during the past two years is too great, and in many instances too technical for recital here. Aside from what has already been mentioned, discoveries have been made in chemistry, in physics, in zoology, in botany, in biology, in geology, and in astronomy which in many instances are very remarkable in those various sciences. In a word, the university, while evermindful that its primary purpose is the higher education of young men and women, is at the same time making great positive contributions to our State and its people through the constant research endeavors continuously carried on by the members of its faculties.

DEPARTMENT OF FINANCE.

DIRECTOR, LYMAN M. KING.

The Department of Finance has within its organization six major divisions: Division of Budgets and Accounts, Division of Service and Supply, Division of State

Lands, Division of Personnel and Organization, Division of Exhibits, and Division of Reclamation Finance. The Department of Finance sustains a relationship to other State agencies which is not shared by any other department, that of a service bureau for all other units of the State government.

DIVISION OF BUDGETS AND ACCOUNTS.

Service Rendered.

This division supplies advisers to other departments, boards, commissions and institutions, in matters relating to proper methods of accounting procedure and handling of finances, and has succeeded to the powers of the former Department of Public Accounting.

First Modern Harbor Accounting System.

One of the first systems of accounting installed by the Department of Public Accounting, after its creation in 1911, was in the offices of the Board of State Harbor Commissioners in San Francisco. Approximately twenty years ago this system was adequate for existing conditions. A survey of the system last year revealed that the rapid development of activities and increased business at the harbor during the past two decades had left that agency with an antiquated and wholly inadequate accounting system. Accounting matters and office organization were in a chaotic condition. With little available data with which to begin, steps were taken by the Division of Budgets and Accounts to devise a modern and adequate system of harbor accounting. This was successfully accomplished. The division has built up the most modern and scientific system of port accounting to be found anywhere in the world. The results are being published in manual form as an aid to other port managements.

Revision of Farm Accounting.

A revision of the farm accounting system in use at State institutions has been completed during the past year. This revised system provides for a complete accounting of farm crops from the time they are produced in the various farm units, such as dairy, poultry ranch, hog ranch, etc., until they are consumed at the institution or otherwise disposed of. Quarterly reports are provided which will show the profit or loss for each unit of the farming operations as well as for the total. This will also show unit costs of production. State institutions should be able in the future to know thoroughly the advantages and disadvantages of their individual farming operations, from the standpoint of money costs. No such information has been available heretofore.

A New Inventory Procedure.

There has long been a need for a uniform system of governmental property accounting whereby a closer check could be kept of inventory values and property accountability. The Division of Budgets and Accounts was here confronted with the same condition as in working out the problems of a harbor accounting system, in that very little data were found to exist which dealt with the subject of governmental inventories. It was necessary for the division to work out an entirely new procedure and a departure from anything which has as yet been promulgated. The preliminary drafts of the proposed system were forwarded to governmental authorities in various parts of the United States and met with very enthusiastic approval. The system which has been put in complete operation has made possible more efficient reports and detailed information, and will bring about a better accounting control than ever before of the State's property and inventories.

Profits Made from Bond Sales.

Through the practice of selling, as well as buying, bonds for various funds held in trust in the State treasury, the Department of Finance, has, during the past two years, made a profit of over \$33,500, which was added to the funds for which the bonds were purchased and sold. This profit was made on a turnover of securities selling for \$1,604,218.45. During the last two years the department has purchased approximately \$4,703,000 worth of bonds for funds held in trust.

DIVISION OF SERVICE AND SUPPLY; BUREAU OF PURCHASES.

As its name implies, this division performs the function in general of meeting the requirements of all State agencies for physical facilities—purchase of supplies and equipment, printing, provision and maintenance of office space, and supervision of property and equipment inventories. It comprises the Bureau of Purchases, Buildings and Grounds, Printing, and Commerce. The property auditor is also attached to this division. The chief of this division is one of three members of the State Board of Control.

A Growing Function.

The volume of business transacted by the Bureau of Purchases has steadily increased, due to the growth of population in State institutions and to the increased amount of construction work and highway maintenance by the Department of Public Works. The task of supplying more than 27,000 inmates of State institutions with food, clothing, and other items of maintenance, is handled by this bureau, as well as the purchase of all supplies and equipment for State agencies. The purchases for the biennium ending June 30, 1930, amounted to \$24,377,683.72,

showing an increase of \$6,350,048.30 over the previous biennium. The cost of operation of the purchasing function for the biennium ending June 30, 1928, was 0.67 of one per cent of the value of purchases. The figures for the biennium closing June 30, 1930, show a cost of 0.57 of one per cent.

Passing of W. G. McMillan.

In 1929 the State lost one of its most valuable employees when W. G. McMillan, State Purchasing Agent, passed away. The position of purchasing agent was created by the Legislature of 1915, and Mr. McMillan was the first man to fill that position, which he occupied until his death. During his fourteen years of service he supervised purchases for the State of California to a value of over \$100,000,000. It may be said with assurance that the efficiency of the office of purchasing agent under his direction resulted in a saving of tens of millions of dollars to the people of the State during this period of fourteen years. This immense task was performed with a reputation for integrity never surpassed in either public or private service.

BUREAU OF BUILDINGS AND GROUNDS.

Governor's Council Room Provided.

To provide ample room for the general public, who in increasing numbers have attended the monthly meetings of the Governor's Council, a special room for the use of the council was prepared adjacent to the Governor's offices. This room also furnishes a meeting place for many important conferences.

Modern Vault in State Treasury.

For many years there has been need for modern vault facilities in the State treasury. The original vault was built with the erection of the Capitol in 1869, and had long been inadequate for the protection of the securities held by the State Treasurer. One of the best types of modern vaults has just been completed for the treasury. It is fully protected from burglary by the latest electrical devices and alarms.

Indian Exhibit.

In April of 1929 an opportunity was presented to the State to secure a very rare exhibit of Indian relics. In the remodeling of the State Capitol a special exhibit room was arranged on the fourth floor of the Capitol as a permanent location for the display. The exhibit, containing over 100,000 artifacts, was opened to the public on January 31, 1930. The display has reached large proportions and bids fair to become one of the finest anywhere. It is particularly valuable as showing the early life of California Indians. No attempt is made to reach out and secure relics of Indians of other states.

Fort Sutter.

Much progress has been made during the past two years in increasing and making available to the public the interesting exhibits at Fort Sutter. The collection of relics of pioneer days of California is growing rapidly. Recently an old-time resident in the Truckee region found one of the Donner party wagons which was abandoned by that ill-fated expedition in 1846. It was three miles from any road, deep in the heart of the mountains. It was packed out to the highway on mule backs and shipped to Sacramento and housed in Fort Sutter, where the survivors of the Donner party were brought when rescued. Another recent gift to the museum at the fort is a lumber scale used by John Marshall, the discoverer of gold in California, with Marshall's name engraved upon it. All displays have now been catalogued and the visitor can inform himself thoroughly in regard to anything he sees.

San Francisco State Building.

Two new wings authorized by the Legislature of 1929 as an addition to the State Building in San Francisco have about reached completion. These wings will provide housing for many of the State agencies now leasing outside quarters, and, in addition, will provide expansion room for the many agencies within the building which are now badly crowded.

Los Angeles State Building.

The county of Los Angeles has furnished the State with deeds to the several parcels of real estate upon which the new State Building is to rise on First street between Spring and Broadway. Construction has already begun on the building, which will be twelve stories in height and of semiclassical architectural design to harmonize with the existing buildings of the Los Angeles Civil Center. One of the ends sought in proceeding rapidly with the State Building in Los Angeles is to relieve unemployment conditions as much as possible. The building will provide ample room to house all of the State agencies and judicial offices now having branches in Los Angeles. The issue of \$1,250,000 bonds voted by the people to defray the cost of erection of the State Building in Los Angeles was sold at a premium of \$52.296. The premium in addition to the principal will be available for necessary construction and furnishing costs.

THE PROPERTY AUDITOR.
Historical Records.

Through the property auditor the Department of Finance has compiled a historical record of all State-owned buildings and other structures. Its purpose is to have available for immediate reference at the Capitol descriptive data relating to all State buildings. These data have been compiled in volumes and carry a special form of written description together with photos of buildings and grounds. With the data are included the original cost of the building, date of completion, cost of additions and alterations, and other useful items of information.

Care of Surplus Property.

Many savings have been made throughout the last two years in the salvaging and restoration of old and discarded furniture and equipment. One sample will suffice. The building of the new Library and Courts Building and the State Office Building in Sacramento made necessary the installation of considerable new furniture. As the offices moved to their new locations a large quantity of worn-out and broken furniture, carpets, etc., was practically discarded. This property was all gathered together and, under the direction of the property auditor, was either repaired for use in public offices in Sacramento or was transferred to other institutions or activities of the State where it could be made available. The State hospitals took several truck loads of rugs, carpets, and badly damaged furniture. Inmate labor has restored it to new and serviceable condition. The original cost of this transferred property was over \$63,000. For purposes of valuation, junk men were from time to time asked to bid upon it, and they offered from 5 to 10 per cent of the original cost. Through transfer to other State activities a saving of more than 80 per cent was effected. That is to say, this quantity of worn-out furniture was restored to 80 per cent of its original value. Careful estimates have placed the savings effected by this salvaging and restoration as high as \$90,000 a year.

BUREAU OF PRINTING.
Increase in State Printing.

The past two years show a marked increase in gross sales of the State Printing Office. In the eightieth fiscal year, a legislative year, gross sales amounted to \$979,945.79, a gain of approximately \$200,000 over the corresponding seventy-eighth fiscal, or legislative year. The eighty-first fiscal year's sales amount to \$806,125.36, an increase of approximately \$200,000 over the preceding off legislative year.

Textbooks Modernized.

Cooperating with the State Department of Education in its policy of thoroughly modernizing the State series of textbooks, numerous improvements have been made in the quality of textbook workmanship. By a more extensive use of colored inks on both covers and illustrations, together with a more varied selection of the latest colors and patterns in cover cloth, and the supplanting of the old, hard-finished, yellow tinted textbook paper with a white, velvet finished paper, the editions have been made more attractive in appearance.

Savings Effected by State Printing.

These changes have not only increased the durability and lengthened the life of the books, but have, through the introduction of labor saving machinery, resulted in decreased costs. Statements of textbook production for the past three years show a saving over publishers' wholesale prices, f.o.b. San Francisco, for the identical books of 42 per cent, 36 per cent, and 47 per cent, respectively, or an average annual saving of approximately \$300,000. Comparison of prices for commercial printing likewise shows that the State, by entering into the business for itself, has during the past three years saved 25 per cent to 40 per cent on the entire volume of work done.

Plant Equipment Now Thoroughly Modern.

Never before in the history of the State Printing Office were the machinery and equipment in better condition. During the past three years, approximately \$90,000 have been expended in replacements. For the first time in the fifty years of life of this institution, its machinery and equipment have been thoroughly modernized and the plant put in first-class working condition without calling upon the Legislature for a single appropriation, the cost of these improvements being financed entirely from the reserve fund accumulated by a 5 per cent surcharge on gross sales.

BUREAU OF COMMERCE.
Of Proved Usefulness.

The Bureau of Commerce was created by the 1929 Legislature for the purpose of assisting California producers and shippers in finding markets for their products. To carry out this objective, headquarters were established at Sacramento and the work of this office was organized along commodity lines. Realizing next the need for collecting information concerning domestic and foreign markets, the Washington, D. C., office of the bureau was established in July, 1930, in recognition of the

fact that the nation's capital is the source of a wealth of information regarding domestic and world markets and specialized phases of distribution. In the interest of producers and shippers who wished to extend their European markets, a representative of the bureau was detailed in July, 1930, for market promotion work in Europe. The work of the bureau's European trade commissioner has been very productive of results.

New Outlets Found.

The bureau, which has been operating for only a little over a year, has accomplished much of a constructive nature. It has detected outlets for pears in the United Kingdom; for hay in the drought regions; for horse meat on the Continent; for lettuce and Thompson seedless grapes in Germany and the United Kingdom. It is investigating the markets for bees in China, and honey in Europe. In addition, at the request of commercial and industrial organizations, it has made numerous studies and issued reports on subjects relating to a number of technical phases of distribution, and collected statistics showing the movement of California commodities to specific markets.

Usefulness of Bureau Demonstrated.

The Bureau of Commerce has demonstrated its usefulness to producers and shippers in assisting them: (1) to find markets for their products; (2) to increase the demand for their commodities; (3) to collect and to disseminate pertinent and timely facts regarding markets and controlling distribution factors.

An Additional Department Suggested.

The importance of the work being done by the Bureau of Commerce, and the possibility of expanding it to the very great advantage of the State, prompts me to suggest that the thought of enlarging the scope of the Bureau of Commerce into a department be given consideration. This has been more fully discussed in another portion of this message.

DIVISION OF EXHIBITS.

California State Fair.

The outstanding fair of all California history was the Seventy-fifth Diamond Jubilee and Western States Exposition held at the State Fair Grounds in Sacramento in 1929, when over 431,000 persons entered the gates of the fair grounds. Fifty-four counties of the fifty-eight in the State of California exhibited at this State Fair. The Western States Building included exhibits of the states of Nevada, Oregon, Wyoming, Utah, Idaho, and the Republic of Mexico. The fair of 1930, while not as large as the Seventy-fifth Diamond Jubilee Fair, surpassed anything, with the exception of that one year. To Robert A. Condee, president of the State Agricultural Society, whose untimely death in October of this year lost to the State of California one of its most useful and unselfish citizens, must go much credit for the success of these two great State fairs. No man in the official life of California ever rendered a more faithful and unselfish public service than did Robert A. Condee. Quietly and modestly, but very earnestly, he labored in and out of season to make the fair a real educational asset to the State, and in this he achieved a notable success.

New Live Stock Building.

During the past year the second largest live stock building in the United States was erected at the State Fair Grounds. This building is 337 feet in length and 237 feet in width and was built at an approximate cost of \$160,000.

Exposition Building, Los Angeles.

Over 750,000 persons annually visit the State Exposition Building in Exposition Park, Los Angeles. An opportunity is given every industry of the State of California to place exhibits within the building without any cost or expense whatever to the exhibitor, thus providing one of the greatest opportunities ever presented in the State for showing goods and wares to interested visitors and prospective purchasers. An information bureau is maintained which is completely equipped for furnishing information regarding resources and industries, scenic attractions, transportation, etc., which will aid the tourist in securing unbiased information regarding California. Motion pictures are shown every afternoon, including scenic and industrial reels furnished by the various counties and commercial organizations throughout the State.

DIVISION OF PERSONNEL AND ORGANIZATION.

Conception of Civil Service Systems.

The traditional conception of civil service systems in the public service is that an impartial agency really outside of the administration is created to prevent the introduction of spoils practices into the public personnel system. California's conception has been wider than that. From the time of its establishment in 1913, the attitude of the State Civil Service Commission has been that of helpfulness to department officers in solving their personnel problems in addition to that of preventing them from indulging in practices which would debase the State service. This modern conception, which is supplemental rather than in opposition to the earlier conception of personnel systems, has been considerably strengthened by the amendment to the Civil Service Act adopted in 1929, which created a Division of Personnel and Organi-

zation in the Department of Finance, with a chief selected by modern testing methods as its administrative head, and the former commission retained to pass upon quasi legislative matters, such as the adoption of rules and of classification and compensation plans, and to hear the appeals of employees and make investigations. Administering the personnel system through the Department of Finance gives assurance that the personnel work will be properly related to the State's financial policies, needs, and resources.

New Classification and Compensation Studies.

The original classification and compensation plans for the classified service, which now includes 11,000 positions, have been completely overhauled and revised so as to be in keeping with the most advanced modern standards. A system of service ratings to determine the character of the performance of the 11,000 officers and employees in the classified service, so that intelligent action regarding salary adjustments, layoffs and reemployment, promotions, and separations may be taken, is being installed. Administrative machinery is being set up so that continuous attention can be given to such matters as attendance, hours of work, and annual, sick, and special leaves of absence with full pay, with reduced pay, and without pay. Salary advances and decreases within the limits of the schedules of compensation adopted are being based upon an improved system of service ratings representing the joint efforts of department officers and the division, instead of upon length of service supplemented by such recommendations as department heads heretofore have been able without assistance to make.

DIVISION OF STATE LANDS.

Surveyor General's Office Abolished.

Acting upon the recommendation of Surveyor General W. S. Kingsbury, who was elected to that office in 1906 and served continually in that capacity for over twenty-two years, the office of Surveyor General and that of Registrar of State Lands were abolished by the Legislature of 1929, and the duties of the office were transferred to the Department of Finance, as the Division of State Lands.

School Lands Sold.

During the past year 16,918 acres of school lands were sold by the division at a total selling price of \$65,053, which was credited to the School Land Fund. The interest from investment in bonds from this fund is credited to the school funds for the support of the schools of the State.

Lease of State Lands for Oil.

In 1921 the Legislature authorized the Surveyor General to grant leases to prospect for minerals on State-owned lands, including tidelands, and to grant leases for taking minerals upon their discovery. There are now approximately seventeen leases in full force and effect for the prospecting for oil and gas on State tidelands.

Revenue From Oil Leases.

It is estimated that a million and a quarter dollars per biennium will be received by the State as a credit to the general fund from oil royalties for oil wells on State tidelands.

DIVISION OF RECLAMATION FINANCE.

Redemption of Reclamation Warrants.

The outstanding accomplishment of this division during the past two years has been the redemption of outstanding warrants of Reclamation Districts No. 2, No. 6, and No. 7. A recent decision of the State Supreme Court paved the way for practically wiping out the indebtedness of these three major projects, or at least putting them into such condition that in due time they can be cleared without financial distress to the landowners affected. This decision, which rewards three years of unremitting effort on the part of the present State administration, validates the legislation enacted at the last session of the Legislature at the request of the administration, making available \$5,670,000 for the purchase of outstanding warrants against the three major flood control projects. This obviated the necessity of enforced collection of the indebtedness by the State, the result of which would be, in many instances, tantamount to confiscation. The amount of money thus made available includes the \$4,370,000 refunded by the federal government as part of the adjustment between the nation and the State whereby the federal government increases its contribution to flood control from one-sixth to one-third, thus making for an equal three-way participation between the State, the nation, and the landowner benefited. Added to this was an appropriation of \$1,300,000 by the State.

Large Purchase Made.

Since the decision of the Supreme Court referred to, there has been purchased by the State at a discount warrants as follows, as of December 1, 1930:

Assessment No. 6-----	\$5,549,347 91
Assessment No. 2-----	303,220 72

In addition, warrants by landowners secured at a discount but applied at full face value, plus accrued interest, have amounted to \$3,020,120.25. Assessment No. 7

bonds and interest have been paid in the amount of \$176,789.11.

There is still available in the State treasury for the purchase of warrants at a discount, as of December 1, 1930:

Assessment No. 6-----	\$1,702,924 95
Assessment No. 2-----	806,135 53

There remains for further use in Assessment No. 7 fund, \$13,722.89.

Following upon a period of more than a decade in which the affairs of the Sacramento-San Joaquin Drainage District affairs had been in a state of chaos, this is an accomplishment in which the administration naturally takes great pride.

OTHER DEPARTMENTAL ACTIVITIES.

Liability Insurance for State-Owned Automobiles.

The Supreme Court in due time affirmed the constitutionality of an act passed by the 1929 Legislature providing for liability insurance against the negligent operation of State-owned motor vehicles or vehicles operated by agents of the State. Arrangements were made by the Department of Finance for the issuing of an insurance policy whereby the public is protected in the matter of damages which might accrue from an accident in which a State car is involved. California is the first state to assume such a liability, thus setting a precedent which bids fair to be largely followed, judging from inquiries upon the subject which have been received from officers of other states. The insurance policy has protected the State in more than forty claims in the first year.

Old State Claim Against United States Government.

Progress is being made in connection with the prosecution of the claim of the State of California for reimbursement by the federal government for expenditures incurred in connection with the Civil War. The total amount of the claim is now \$6,462,143.13. It is being prosecuted on a contingent fee under an act passed by the 1929 Legislature, and a bill has already been introduced in the United States Senate to provide for the payment of the claim.

American River Dam.

The legislative session of 1927 passed an act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; and authorizing the State Department of Finance to acquire, for the State, property useful in connection therewith; also to lease property of the State for such uses. It was impossible to work out the project, which contemplated a dam on the American River at Folsom, within the specified time, and the project failed. The Legislature of 1929 took similar action and provided that any lease entered into under the powers conferred by said act should be executed on or before December 31, 1930. The matter was diligently prosecuted by the Department of Finance, acting in conjunction with the Department of Public Works, and early in the summer of 1930 a form of lease was arrived at which was agreed upon as being substantially acceptable to State authorities and to the American River Hydro-Electric Company, which desired to proceed with the enterprise. The company, however, has failed to carry on with the project and the matter now stands in the same position it did at the time of the enactment of the 1927 statute, plus, of course, the information which has been gained, and which will be useful in case the project shall be revived.

Refrigeration Terminal in San Francisco.

The precooling plant and refrigeration warehouse on the State-owned water front in San Francisco is now a going concern. Inasmuch as the State owns the entire water front at San Francisco, it was found necessary to provide at shipside a facility of this kind. The State Produce Terminal Building erected some years ago was found to present an ideal situation, being located on China Basin and immediately adjacent to The Embarcadero and Pier 46, thus giving more than 3000 lineal feet of wharfage space immediately available, and permitting the docking of an ordinary ship in such a position that the middle hatch is not more than 65 feet from the loading door of the warehouse. In addition to the shipside facilities offered, there is immediate rail and truck accommodation. The capacity of this warehouse, divided into seven refrigeration chambers, is 210,000 cubic feet of refrigerated space, which will care for 3000 tons of perishable fruits or estimated in boxes of apples, 125,000. The fruit growers of northern California used the facility quite largely this past season. In my judgment the present refrigerated space should be doubled, which can be done at moderate cost and without any enlargement of the present building.

DEPARTMENT OF INDUSTRIAL RELATIONS.

DIRECTOR, WILL J. FRENCH.

In this department there are the following six divisions: Industrial Accidents and Safety (Industrial Accident Commission), Labor Statistics and Law Enforcement, State Employment Agencies, Housing and Sanitation, Industrial Welfare, and Indus-

trial Fire Safety. The State Compensation Insurance Fund, which is under the jurisdiction of the Industrial Accident Commission, is also an important section of the department's activities. The Division of Industrial Fire Safety was added to the other divisions by the California Legislature at its last session; and besides enforcing safety in the cleaning and dyeing plants of California, the division is removing the fire hazards from State and public buildings as well as from places of employment.

IMPORTANT GENERAL ACTIVITIES.

Age Discriminations in Industry.

The Department of Industrial Relations has issued during the last biennium two Special Bulletins (Nos. 1 and 2) dealing with the problem of the growing tendency toward refusing employment to those who have reached middle age. Sometimes the limit is set at a year-standard far below 40 or 45 years. The department has urged with vigor that employers consider the physical and mental ability to do the work, regardless of age, and this policy has met with universal approval. California is the first State officially to pay attention to this discrimination, and from all over the United States have come letters that show the deep concern of the large groups of men and women affected by this comparatively new barrier to work.

Filipino Immigration.

Special Bulletin No. 3 gave citizens reliable data about the influx of Filipinos into the United States, and especially into California. Records were carefully checked, and complete information is now available as to the number of Filipinos, the kinds of work they follow, their marital status, and their relations to the economic and social questions that confront our people. The bulletin is fact-finding in character, and does not take a position either for or against immigration from the Philippine Islands. It was thought best first to publish the facts, without the least feeling. There can follow action based on accurate knowledge that will result in good both for Americans and Filipinos.

The Mexican Problem.

Special Bulletin No. 4 is a voluminous document. It is the outcome of the decision to have the directors of Industrial Relations, Social Welfare, and Agriculture form a fact-finding committee to study and report on Mexican immigration. Considerable time was taken in preparing the bulletin. The work had to be done in conjunction with the other duties of the departments named, and its importance warranted unusual attention to detail. State, county, and city records have contributed to the findings, and federal sources were called upon for data. Inasmuch as Mexico is our neighbor on the south, and the many thousands of her people entering California add complexities to our problems, it was deemed advisable to be as careful as possible in presenting the labor, social, and agricultural aspects of such tremendous importance to all the residents of the United States. As in the Filipino study, the Mexican research was concluded on the basis of supplying reliable information, without recommendations either for or against Mexican immigration.

Boulder Dam.

The federal government was asked by the Department of Industrial Relations to make operations safe for employees in constructing Boulder Dam, and to pay especial attention to town planning, sanitation, housing, and the variances in temperature. The responses were most cordial. It is believed the early attention given to these important matters will help attain the great purpose of life conservation, as well as comfort, for the thousands who will be employed on the project, many of whom will be Californians.

Unemployment.

The extension of the State employment agencies and the opening of seasonal offices in the fruit-growing districts have enabled the department to make some contribution toward assisting the men and women who are out of work. Arrangements have been made for the transportation of those who are willing to pick cotton. The growers will provide auto trucks, and the agencies in Los Angeles will serve as a medium of connection between the workers and the jobs. An experiment in Berkeley is receiving attention. Cooperation between the State, the city of Berkeley, the Berkeley Chamber of Commerce, the University of California, the trade unions and the social groups, all clearing through the State Employment Agency, has proved beneficial in many ways.

DIVISION OF INDUSTRIAL ACCIDENTS AND SAFETY.

Efforts to Save Life.

During the last two years the Industrial Accident Commission has stressed the prevention of accidents. The city of Los Angeles gave instructions to its building inspectors to enforce the commission's safety standards on all construction work and excavations. This aid has proved most valuable. The city of San Francisco is con-

sidering an ordinance that will provide for special safety service. All of the larger cities of California have departments in their governments that enable the commission to secure cooperation in making places of employment safe, and all have accepted the invitation. The casualty companies' engineers inspect insured boilers and elevators and turn the reports in to the Industrial Accident Commission, thus avoiding duplication and annoyance to owners.

Illustrations of Value.

The William Taylor Hotel and the Fox Theater in San Francisco, unusually large structures, were completed without loss of life or serious injury to employees—a very remarkable record, considering the hazardous work. In Los Angeles twenty-one large buildings, representing 270 stories, were constructed with a like final report. This shows what can be done when all agencies join hands in a determination that death must not mar building operations.

In Wider Fields.

The commission has been active in removing the X-ray-film hazard in hospitals, in supervising State and public institutions in respect to accident risks, in urging that natural gas be provided with an odorizer for both public and industrial safety, in giving many visitors from foreign countries complete information about methods of preventing accidents, in teaching first aid, and in helping citizens everywhere to avoid untimely death and injury.

State Compensation Insurance Fund.

The State Compensation Insurance Fund is unique among State departments in that it is actively engaged in business, and receives no financial aid from the State. It was created for the purpose of setting standards which other carriers in the same line of business must follow, and for the purpose of protecting employers in this State against excessive rates. That it has served the purpose for which it was created is demonstrated by the fact that one out of every three employers in the State of California patronizes the fund. Since its creation, it has greatly lowered the cost of compensation insurance to its patrons by returning to them a sum in excess of \$18,000,000 in dividends. In addition, it has served those employers who do not insure with the fund by acting as a leveler of rates, its very existence tending to prevent any unwarranted claims for rate increases.

DIVISION OF LABOR STATISTICS AND LAW ENFORCEMENT.

Administration and Enforcement of Labor Laws.

This division is charged with the administration and enforcement of many labor laws, the enforcement of which is not specifically vested in other governmental agencies. Among these labor statutes are (1) the laws pertaining to payment of wages, (2) the eight-hour law for women workers, (3) the child-labor law, and (4) the law governing the operations of private fee-charging employment agencies.

District Offices.

District offices are maintained by this division in San Francisco, Los Angeles, Oakland, Fresno, San Diego, Sacramento, Long Beach, Bakersfield, San Bernardino, Santa Barbara, San Jose, El Centro, and Stockton. The last mentioned office was established in August, 1929. These thirteen district offices receive complaints of labor-law violations, and offer assistance to men and women applying for the division's services.

Complaints Investigated.

The great volume of work handled by this division may be gauged by the fact that during the two fiscal years ending June 30, 1930, its thirteen district offices received and investigated 68,653 complaints of violations of labor laws. This was an increase of 6.7 per cent over the number of complaints received during the preceding biennial period. Almost ninety out of every hundred complaints received by the division are claims for unpaid wages. Thus, of the 68,653 complaints received during the last biennium, 60,469, or 88.1 per cent, were wage claims, while 8184, or 11.9 per cent, were complaints of other labor law violations.

Collection of Unpaid Wages.

During the two fiscal years ending June 30, 1928, the division collected \$1,962,992 in unpaid wages, and during the two fiscal years ending June 30, 1930, the division collected \$2,134,783—an increase of \$171,791, or 8.8 per cent, over the preceding biennium. These wages are collected free of charge to the men and women who file their wage claims with the division, and who are unable to employ attorneys. More than one-half of the wage claims are for amounts under \$50, and about one-fifth are for amounts in excess of \$100. The average amount of unpaid wages collected per wage claim settled is \$57. About 20 per cent of all wage claimants are women workers.

Regulation of Employment Agencies.

While the collection of unpaid wages is the greatest service rendered by the division to the wage earners of the State, the welfare of the workers is also looked after by this division through its regulation of the private fee-charging employment agencies. There are 400 such agencies in the State, licensed by the division to conduct business in accordance with the requirements of the Employment Agency Act.

Prosecutions.

In order to compel compliance with the labor laws of the State, the division started 1537 criminal prosecutions during the fiscal year 1928-1929, and 1544 during the fiscal year 1929-1930. Although 85 per cent of these prosecutions were against employers who wilfully refused to pay wages, by far the greatest number of wage claims were adjudicated without recourse to court actions. The remainder of the criminal actions were against violators of the Child Labor Law, the eight-hour law for women workers, the Employment Agency Law, and other labor laws.

Labor Statistics.

As the name of this division implies, it is also one of its important functions to gather and disseminate statistical information concerning labor conditions in the State. The Division publishes a monthly bulletin pertaining to employment conditions, wages and earnings of factory workers. It also gathers and publishes data on union rates of wages and hours of labor, and other economic statistics pertaining to the well-being of wage earners.

DIVISION OF STATE EMPLOYMENT AGENCIES.

Number of Free Employment Agencies.

The California system of State free employment agencies was inaugurated in 1916, with the opening of permanent free employment agencies in San Francisco, Oakland, Sacramento, and Los Angeles. Since then, but prior to the last biennium, permanent State free employment offices were also established in Bakersfield, Fresno, San Bernardino, San Diego, San Jose, and Stockton. In February, 1930, another permanent free employment office was opened in Berkeley, in cooperation with the city of Berkeley and the Chamber of Commerce of that city. In San Francisco, Los Angeles, and Oakland are maintained separate branch offices of the State free employment service, which specialize in placing general labor, clerical workers, and female industrial and domestic workers. The special branch for female workers in Oakland was opened on December 15, 1929. In Los Angeles, there was opened in March, 1930, a special branch office to take care of Negro applicants for employment. In addition to these permanent offices, the division also operates, during the fruit picking seasons, seasonal employment offices for the benefit of farmers and farm laborers. During the two fiscal years ending June 30, 1930, such seasonal employment offices were operated in Lodi, Hollister, Gilroy, Watsonville, and Newcastle.

Number of Free Jobs Furnished.

During the two fiscal years ending June 30, 1930, the State free employment agencies furnished 295,385 jobs to applicants for employment. During the ten years, 1920-1929, the average annual number of jobs furnished free to the workers of the State, through the State employment agencies, was 173,087. The number of placements made by the State employment agencies varies with industrial and agricultural conditions in the State.

Amount Saved Through State Agencies.

The average fee, per temporary or permanent job, charged by private employment agencies, was \$2.42 during the years 1928 and 1929. If the men and women who secured the 295,385 jobs through the free employment agencies during the two fiscal years ending June 30, 1930, were obliged to buy these jobs from private agencies, the cost to them would have been in excess of \$700,000, or over \$350,000 annually.

DIVISION OF HOUSING AND SANITATION.

Aid Given Immigrants.

This division is the point of contact between the State and its large alien population, which is yearly increasing. California averaging fifth in rank of those states receiving the largest number of immigrants. Their problems are presented in their native language handicaps are removed, due mainly to ignorance of our language, laws and customs, and ultimately good citizenship results. Due to changes in immigration and naturalization laws, more and more immigrants are seeking the division's assistance on these questions. In the fiscal year ending June 30, 1929, 15,290 immigrants in California declared their intention of becoming citizens, and 10,483 former declarants were naturalized.

Labor Camps Have Higher Standards.

Supervision of the sanitary conditions existing in labor camps in the State, numbering approximately 2700, is placed with this division. The yearly population of these camps is about 90,000 persons, a little more than one-third of them being women and children. When the division started the inspection of labor camps,

conditions were deplorable. In its first investigation as to the cause of a riot wherein public officials were murdered, it was found that there were no housing accommodations or sanitary facilities; sickness was prevalent, water scarce, a superabundance of flies contaminating food, and other drawbacks of a serious nature. The standard of labor camps in California is now such that other states and nations are using our law as an authority on the subject. Good housing accommodations and sanitary facilities for the workers are now general throughout the State. This has been obtained through constant vigilance and sane enforcement, which must necessarily continue.

Housing Improved.

The State Housing Act is enforced by this division. Regular supervision is maintained in order to keep up modern standards and to remove any tendency toward slum conditions in the older districts of our cities. Through the cooperation of local building inspectors and health officers in our cities and counties, there has been great improvement in the sanitary conditions of hotels, apartment houses, and dwellings. Many of these buildings, which had outlived their usefulness for human habitation through deterioration, have been vacated, destroyed or remodeled. In the unincorporated areas a number of groups of shacks have been eliminated. Although not required by the act, plans for new construction are frequently brought to the division for recommendation and approval. This has prevented violations and in many instances saved the owner additional expense and worry.

Auto Camp Regulation.

A new statute regulating the construction and maintenance of auto camps outside the limits of incorporated cities was given this division for enforcement. The need for such regulation had long been necessary. Many of the camps were dirty, and lacking in most of the essentials required for temporary housing. The improvement produced in a short time in old camps, and the living conditions established in the new ones, are outstanding features.

DIVISION OF INDUSTRIAL WELFARE.

Minimum Wage Benefits Most Apparent.

The last biennium has revealed in a graphic and unbiased manner the value of minimum wage legislation for women and minors as enforced by the Division of Industrial Welfare.

Rates of Wages in the Limited Price Chain Department Store.

The Women's Bureau of the United States Department of Labor has released in the last year two extensive studies on the employment of women. The first, Bulletin No. 76, is a study of wages in the limited price chain department stores of representative states and cities of the country. This study shows that of approximately 6000 women, including 881 from California, 73.5 per cent received rates of pay less than \$16 per week, or California's legal minimum wage. Only 15.7 per cent received rates of pay of \$16 per week, and but 10.8 per cent exceeded \$16 per week. When the 881 California women are excluded from the study, one finds that in the other states and cities, where no legal minimum wage exists to control competitive levels, 83 per cent received less than \$16, or a living wage, and 40.7 per cent received rates of pay under \$12 per week, which is the lowest apprenticeship rate permitted in California for adult women in the mercantile industry. A very different story is told of California, where, of 881 women, but 20.2 per cent received under \$16, and were licensed apprentices.

High Wages Received in the Laundry Industry in California.

In Bulletin No. 78 of the Women's Bureau of the United States Department of Labor is an exhaustive study of employment of women in the laundry industry of the country. There are 19,180 women in the study, including 4063 from California. These were employed in 38 laundries of San Francisco and Los Angeles. Of those employed throughout the country, including California, 61 per cent received earnings of less than \$16 per week, while 9.7 per cent received exactly \$16, and 29.3 per cent received \$17 and over per week. Of the 4063 California women, 13.8 per cent received less than \$16 per week, while 21.8 per cent received exactly \$16 per week, and 64.4 per cent received more than the minimum wage. This proves conclusively that the minimum wage does not become the maximum wage. California pays by far the highest laundry wages in the United States. San Francisco pays the highest laundry wages of any city in the country, the median wage being \$20.70 per week. These high wages in San Francisco are partly due to a strong union, which has used the minimum wage as a basis only for higher wages.

Conclusion.

There is no doubt that the continued enforcement of the Minimum Wage Law with an adequate budget for inspections has put literally millions of dollars into the pockets of approximately 200,000 working women under the protection of this beneficent legislation in California. Meanwhile I am happy to believe that there is not a citizen of this State who would wish to see these women deprived of a decent living wage.

DIVISION OF INDUSTRIAL FIRE SAFETY.

Self-supporting.

The division is self-supporting, the cost of its operation being borne by the dry-cleaning establishments, through an annual occupational license fee.

Attitude of Plant Owners.

A very noteworthy fact in connection with the law is the attitude of the plant owners. With the exception of an almost negligible number, their hearty support has been given the division in its enforcement. This is due to the equity with which all such establishments have been treated, regardless of their magnitude; and, in addition, to a marked reduction in fire losses, which also has resulted in lowered insurance costs.

Plant Employees.

The security, health and comfort of the plant employees have been greatly enhanced by the elimination of many flagrant violations of common sense in the employment of the highly inflammable explosive and somewhat toxic solvents used as cleansing mediums. Working in a safer environment, and under more healthful conditions, their production output has been increased and the character of their work improved. These facts, together with the greater security against loss by fire afforded the customer, has resulted in a material benefit to the public, as well as to all others immediately concerned.

Enlightening the Public.

Through the medium of talks, magazine articles and office advice, fire prevention and extinguishment propaganda has been understandingly set before the public, and in particular before the housewife given to home dry cleaning. In this connection, with the heavy and ever-increasing loss of life and property, the division is endeavoring to obtain the cooperation of the oil companies through a discontinuance of the sale of petroleum products for such use in the home.

State Institutions.

When in their vicinity the division's field deputies have, in conjunction with the local fire authorities, made inspections of practically all of the State institutions, and the division has reported their findings and its recommendations to the Department of Industrial Relations for transmission to the proper sources for remedial action where the necessity for such is obvious.

DEPARTMENT OF INSTITUTIONS.

DIRECTOR, EARL E. JENSEN.

On January 1, 1928, the institutions of the State consisted of six hospitals for mentally ill, two homes for the feeble-minded, three correctional schools and an industrial home for adult blind. Provision had also been made by law for the creation of a State Narcotic Hospital, and steps were soon thereafter taken toward its establishment on State-owned property in southern California. The establishment of this latter institution had been authorized by the Legislature of 1927, but no funds were provided. One hundred thousand dollars were made available from the emergency fund for the initial support of this hospital.

Comparison of Resident Population and Capacity.

The following table will indicate the resident population and capacity of the various groups at the beginning and end of the period covered by this report:

	July 1, 1928		June 30, 1930	
	Population	Capacity	Population	Capacity
Mental hospitals.....	13,797	12,194	14,906	12,797
Homes for feeble-minded	2,364	2,078	2,715	2,558
Correctional schools.....	1,096	1,055	1,114	1,170
Adult Blind Home.....	122	143	123	131
Narcotics	---	---	86	92
Totals	17,379	15,470	18,944	16,748

Increased Capacity Provided.

It will be seen that during the two-year period, capacity for the care of inmates was increased by 1278. Resident population, however, had increased during the same period by 1565 persons, adding 287 to the excess population at the commencement of the period. This indicates an increase of institutional population proportionate to the increase of the population of the State, demonstrating the need of a more extensive and rapid building program than has been heretofore planned. Such an expanded program appears essential if the institutional problem before us is to be met in an adequate manner.

INSTITUTIONAL CARE.

Eight-Hour Day.

During the biennium an eight-hour day was adopted for *all* institutional employees. Considerable difficulty was encountered, as additional funds were not made available in appropriations to provide for this change in service. Accomplishment was possible only through the hearty cooperation of the superintendents of the several institutions, who recognized the value and importance of the plan, and who, though with regret, willingly eliminated a number of positions and functions provided in their budgets in order that funds might be available for the added personnel. As now functioning, the eight-hour day in some institutions is on straight shift and at others on broken shift. Budgets for the coming biennium will undoubtedly be based upon a continuance of this service on an extended and standardized basis.

Division of Research and Psychiatric Supervision.

This division was created within the department with Dr. Herman Adler, formerly of Chicago, Illinois, as chief. Dr. Adler, a man of national reputation, comes to the service of the State of California with years of training and experience in all lines of research, psychiatry, psychology, criminology and allied subjects. At the present time this division is conducting a survey of commitments made to State hospitals over a period of several years in an endeavor to determine pre-commitment environmental causation of mental trouble. Dr. Adler's connection with the department, in a supervisory and advisory capacity, will be inestimable in value.

Dietetic Supervision.

The problem of foods and feeding has been put upon a sound scientific and economic basis under the direct supervision of a highly trained State Dietitian. This service has been in operation for nearly three years and has proved a success from its inception. Before such supervision and scientific direction were inaugurated, complaints were had by the hundreds from inmates, employees, and the general public on institutional food—its quality, quantity, preparation and service. Such complaints are now unknown. Food now served in our institutions is ample in quantity, excellent in quality, palatably prepared, and attractively served. The function of the supervising dietitian has been extended beyond the actual institutional dietetic problem. Study of plans and specifications for buildings to be erected at the State institutions, related to food—its storage, preparation and service—is undertaken. All such buildings must first be approved by this agent before construction is commenced.

Cafeteria Food Service.

Cafeteria food service for employees and inmates alike has been given close study and consideration, resulting in this form of service being generally inaugurated to some degree in every institution, with the exception of the girls' school, which is operated on the cottage plan—all meals being prepared and served by the girls, under supervision, as a training project. This form of food service is not only recognized as an economic measure, but also one having very distinct therapeutic value. Mental patients particularly respond to this type of self-service, developing within themselves a self-reliance not heretofore demonstrated. The privilege of selecting food to be eaten, though that selection might necessarily be limited, has a very definite effect upon the patient, and has many advantages over the congregate dining rooms where food was served upon the table by attendants or other patients to those assembled. Aside from its therapeutic value, it is quicker, easier, cleaner, more economic and more greatly appreciated. Cafeteria service should be inaugurated to the maximum degree in all institutions.

INDUSTRIAL ACTIVITIES.

Supervision of Industries and Production.

The work of the supervisor of industries and production has been broadened to include field surveys, soil and crop analysis, industrial buildings and plant lay-outs, standardization of farm and other equipment, standardization and purchase of live stock, particularly dairy herds or their replacement. One of the most important functions has been the organization and maintenance of the program for the eradication of bovine tuberculosis and infectious abortion from our institutional dairy herds. This program has, within the past two years, developed tuberculosis-free herds at eight of the institutions supporting dairies. The ninth institution is supporting two herds—one tuberculosis-free and one infected—at widely separated points, until funds are made available for disposal of the infected herd and its replacement. All institutions maintaining dairy herds are equipped with pasteurizing equipment as an additional safeguard of the health of the State's wards.

Production and Industries Stimulated.

Institutional industries and maintenance departments have been studied and carefully analyzed. Changes have been made, new ideas incorporated and a general

plan developed placing these functions upon the highest possible plane, economically as well as in productivity. The complete reorganization of some institutional activities has been necessary to accomplish the desired purpose. The plan is for standardization of such departments along an accepted plane, unification of effort, economy of program and product. The maximum production of those commodities that may be used within the institutional group is an essential of this program, although, in some instances, a surplus develops.

Sale and Exchange of Surplus Products.

Activity in this department developed need for a manner of sale and exchange of surplus products, in order that progress might not be interrupted, and the producing institution realize a value for its efforts. A bill was introduced and passed by the Legislature of 1929, enabling an institution to dispose of its surplus products from any department through sale or exchange to another institution, or, in case no need was shown for such product within the institutional group, then to dispose of it upon the open market. The value of the product is fixed by the Department of Finance, sale or exchange effected, and, in case of sale, the proceeds thereof are credited to the appropriation of the producing institution. An incentive for maximum efficiency and productivity is thus established that builds to a greater economic program.

SERVICE OUTSIDE THE INSTITUTIONS.

Parole Supervision.

The sociological group (social service, parole, placement and field workers) has been increased materially, there now being seven psychiatric social service workers with the mental group and eight with the feeble-minded. The correctional school group is covered by eleven parole and placement officers, and the State Narcotic Hospital with one. Field supervision of the blind is conducted by a group of six trained instructors. The State's program of extramural supervision has enabled the continued parole of a larger group than ever before in history, with more final adjustments from parole back into society.

Large Groups Requiring Service.

When it is considered that there are 1312 on parole from the mental hospitals, 1231 from homes for the feeble-minded, 1268 from correctional schools, and 109 from the Narcotic Hospital—a total of 3920 requiring supervision under this parole system—one wonders at this small group of twenty-seven persons maintaining the degree of success that has been evidenced. Adequate supervision of so large a number of maladjusted persons by so few is a physical impossibility, though they are to be highly commended upon their interest, energy, and achievement. A greater success in this field is possible, with an appreciable increase in the number on parole, if provision be made for an extension and elaboration of this important work. For every mental patient continued on parole the State and the taxpayers are saved an average of \$21.50 per month, for the feeble-minded \$24.52, the correctional school case \$63.95, the narcotic addict \$80.23. It is estimated that there are upward of 2500 adult trainable blind within the State of California who are not cared for or receiving training in an institution. Only a relatively few of this great group can be contacted and trained by the seven field workers allotted to this work. This program itself is worthy of greater consideration and expansion, but adequate funds therefor must be provided by a sympathetic people and its Legislature.

Out-Patient Clinics.

Clinics are held regularly each month in centers of population. Clinics to the number of thirty are now on the monthly schedule, twenty-five being conducted from the State hospitals and five from the homes for feeble-minded. This service is in demand by communities, with an increasing number of requests for the clinics. In addition to the contact and adjustment of preinstitutional cases, cases on parole who are having difficulty in adjustment are contacted, thus aiding the field supervisory group. Clinical service upon request is extended to those communities which are not on the regular monthly schedule and do not have reason for such periodic visits. The State's plan is to extend this service wherever and whenever needed, if possible and consistent with the hospital program and routine. A legislative program providing for an expansion in this field, with a more liberal service to the public, may well be undertaken during the coming biennium, since through this medium many may be saved from commitment to a State institution, while the public will be saved the expense such commitment entails.

MENTAL HOSPITALS.

Restraint Abolished in State Hospitals.

The policy of nonrestraint has, contrary to general prediction, proved a success. Mechanical and other forms of physical restraint, in all but a few post-operative

cases, have given away entirely to hydrotherapy, occupational therapy, specialized treatment and a stricter segregation. The abolition of restraint has, in the opinion of the well informed, greatly aided in the adjustment and ultimate recovery of many patients committed to our care. Large numbers of patients are delivered to our hospitals from courts of commitment in various forms of restraint. In practically every instance restraint would have been unnecessary had the person in charge been one trained in the care of those mentally ill. Patients received at the hospital in restraint are more difficult of adjustment into the routine and less responsive to early treatment. An educational program on the manner of handling this class of patient is necessary and is being planned. The delivery of persons to all State institutions should be taken out of the hands of the sheriff's office, and placed with those trained in the proper care and treatment of the particular class involved.

Smoking Prohibited.

The no-smoking rule, applied to employees and inmates occupying buildings in which inmates are housed, has also proved its merit. There has been but one fire during the past two years, and that not due to smoking, but to incendiarism at the hands of a small group of patients in the Sonoma State Home. Promiscuous smoking by mentally incompetent patients and other inmates who are more or less irresponsible was considered an ever-present fire hazard and menace to life and property. Smoking has, therefore, been absolutely banned, except within restricted buildings or areas.

Uniformed Employees.

All employees, including members of the medical staff, entrusted with the care and treatment of patients, both in this and the feeble-minded group, are required to wear standard white hospital uniforms. The result is a better service, a better appearance, and is more in harmony with the idea that these are truly hospitals for care and treatment, and not the old custodial institutions of a few years ago. While this program was seriously objected to by the attendant group, particularly the itinerants, they soon became as enthusiastic of the plan as others were, and are now agreed that it develops a better appearance and service. Uniforms are furnished by the employee at his own expense, but are laundered by the State at the institutional laundries.

Specialization of Medical Service.

Plans are in progress for a specialization of the medical service. It is no longer believed that anyone with just a knowledge of psychiatry is eligible for State hospital work. In addition to psychiatric training, members of the medical staff should be specialized in some other subject as well in order to render the maximum service to our wards. It is hoped that in the near future our psychiatrists may become specialized, one in internal medicine; one in surgery; one in eye, ear, nose and throat; one in heart and lungs—in fact, general specialization in order that the physical ills of our wards may have the same careful diagnosis and treatment that is accorded them in their mental troubles. Steps are being taken toward such specialization within our present hospital staffs, and in future any additions to the staff should be made only after specialization in other than psychiatry has been given due consideration.

Important Field for Research.

The State hospital is considered one of the greatest fields for medical and mental research. This field continues to occupy an important place in the hospital group. With the completion of the \$80,000 central research laboratory on the grounds of the Agnew State Hospital, California will be well equipped to further this program and add materially to the success of our work. The service of this laboratory will

Not be restricted to any one group of institutions, being extended to all State institutions and agencies as needed or requested.

Segregation of Patients.

The segregation of patients into groups within each hospital has been undertaken. In this group segregation consideration is given to sex, age, physical and mental condition of the patient, simplifying the care and treatment to an appreciable degree over that required where these considerations are not made. With the early completion of two additional tubercular units at Patton, each to house 50 patients, the segregation of the tubercular group at the one hospital will be possible. Plans have been made for the segregation of the criminal insane group at the Mendocino hospital. The first unit of a group to care for this class has been completed and in use nearly two years. It houses but 65, and is totally inadequate. Further special unit construction will be required to take care of this segregation of the criminal class of insane.

Exercise and Recreation.

The value of the policy announced by the department nearly three years ago, requiring out-of-door exercise, organized recreation, fresh air and sunshine for all

ambulatory patients is supported in an article published in a recent issue of "The Modern Hospital" and written by no less authority than John E. Davis, M.A., senior physical director, United States Veterans' Bureau hospitals. All patients who are able to leave their quarters are given at least three hours daily out-of-doors. Physical exercise and awakened interest in kindred subjects are as important in the program of rehabilitation as are other forms of prescribed treatment and the several occupational therapies.

HOUSES FOR THE FEEBLE-MINDED.

Modern Hospital Buildings Provided.

A modern hospital, completely equipped, has been built at the Sonoma State Home. This unit provides one hundred beds. A similar unit of fifty-bed capacity is to be built immediately at Pacific Colony. Funds for this construction were provided by the Legislature of 1929. Up-to-date, well equipped hospitals are very essential in any institution, and especially in those caring for the feeble-minded, who are so susceptible to injury or serious illness due to their mental condition and reduced physical resistance.

Pacific Colony Capacity Increased.

The patient capacity at Pacific Colony has been increased during the past two years by 240—three cottages housing 80 each. Another cottage is to be built during the early months of 1931. The building program at this hospital during the two years, in addition to the above, has provided a gymnasium and amusement hall, school building and industrial shops, with a hospital, an administration building, cottage for patients and a girls' industrial building yet to be built. Further expansion is planned for the coming biennium, which will enable the State to further meet the demands made upon this southern institution for care of patients. It is the hope of those closely connected with this institution that it may continue to be maintained primarily as a training institution, rather than one of dual purposes—both training and custodial.

Sale of Pacific Colony Land.

Four hundred acres of hilly grazing land were sold, the proceeds being used to purchase a tract of forty-one acres, highly developed and producing, within the boundaries of the colony. The purchase of this property has made a well available for additional domestic supply, producing 75 inches of water. A modern dairy unit and live stock plant will be developed upon the remaining 400 acres of the original 800 acre tract purchased at the time of the original establishment of this institution in 1918. Funds in the amount of \$18,000 for the initial unit of this plant were provided in 1929, with construction now in progress. The budget for 1931-32 carries an approved item of \$25,000 for further development of this project. A herd of 15 purebred registered Holstein dairy cows was purchased recently for Pacific Colony. These animals were selected from the third highest rated dairy herd in the United States, as rated and registered with the American Holstein Friesian Association. The price at which these high-grade animals were secured was most advantageous. Milk in both quantity and quality is an essential of the diet of an institution caring for children and the younger wards of the State.

Specialized Service to the Feeble-Minded.

Orthopedic surgery is being continued at Sonoma, and has been included in the treatment at Pacific Colony. Results are gratifying and justify this important addition to our service. Massage is another important feature of the treatment being rendered this group. Special attention has been given to the diet of all groups, especially the epileptic and the low grade cases. The vocational and educational program is extended to provide the maximum training. Only certificated instructors are employed, and those must have had experience with this particular type of patient. Everything possible is being done by the State of California for this most unfortunate group which leads toward a betterment of their condition and their adjustment in some degree back into society.

Social Service Among the Feeble-Minded.

The program of social service, leading to adjustment within or out of the institution, is being more and more recognized as an essential in the State's program for the care and training of this class. The staff has been increased to eight, adding three workers during the past two years—one additional on the resident staff at the Sonoma Home, one for Los Angeles territory and one in the San Joaquin Valley territory. Close supervision of the parole group is very necessary to a safe and satisfactory adjustment. A broad understanding, great sympathy, tenderness and tact are necessary in all workers in order that the desired results may be had. These attributes should be sought for all institutional workers upon the State's pay roll.

CORRECTIONAL SCHOOLS.

Building Program at the Preston School.

With the completion during the past two years of buildings to house 174 boys at Preston, the capacity of this school has been increased to 660. New construction

completed during the period includes: A modern hospital of thirty-eight beds, a receiving unit, a custodial unit, a dormitory and a classroom building. Construction in progress, or contemplated with funds now available, includes an electrical shop building, refectory building and a residence for the superintendent. A special domestic water supply is being developed at a cost of \$70,000 and is nearing completion. Further legislation will call for irrigation and power development to cost, as estimated, \$120,000. This project will be essential to the future development of the school and its agricultural and vocational program. Undeveloped water rights are now owned by the school. The impounding of an adequate supply of water will serve two purposes—the production, through expanded generating equipment, of power for general use and industrial shop program, and for irrigation of farms and gardens. The water so impounded will first pass through the generating equipment and thence into the irrigating system, serving dual purposes.

Development at the Whittier State School.

At Whittier the building program has also been advanced. Construction during the two-year period and now in progress includes: An administration building, a new hospital, and two cottages for boys, all completed, with a kitchen and commissary building; a cottage for boys and a general shop building under construction or provided for. A one-half mile running track and athletic field has been built by the boys themselves for interschool and competitive athletics. The construction of this track and field on a sloping site necessitated the moving of thousands of cubic yards of soil. The entire project was completed by the labor of the boys, with the assistance of, and under supervision of, the school personnel. The boys have also built a very complete miniature golf course for their pleasure and recreation.

No Expansion at the Ventura School.

The fact that there has been no expansion of this school must not be considered as a disinterested attitude toward the school, its program and its very splendid accomplishments. The school has sufficient capacity with which to meet the demands made upon it on the basis of present and past experience. The very fact that to this school go the young girls requiring specialized training and adjustment, future mothers and dependable, worth-while citizens, places Ventura upon a plane by itself. The accomplishments of the school, the success of its program and the satisfaction of its parole group speak for themselves. The school is indeed a credit to the State, and is promptly and adequately meeting all demands made upon it.

Educational Program an Important Feature.

The program of academic and vocational education has been extended in all three schools. Only trained, accredited instructors are employed. Night classes in academic subjects have been inaugurated to give this instruction to those who desire it in addition to their vocational program, which occupies the most of their day. The educational program and the training these boys and girls receive, coupled with our extended parole and placement organization, has enabled us to keep a number constantly on parole and placement greatly in excess of the actual number receiving training and instruction within the schools.

Success of the Parole Group.

A recent survey of the parole group gives the following interesting information on the adjustments being made:

Superior -----	17.56%
Above average -----	23.36
Average -----	39.79
Below average -----	10.81
Failure -----	8.48
Total -----	100%

It is very interesting to note that in this large group of delinquent boys and girls who come to us, after the prescribed period of training, when placed and tried on parole, only 8.48 per cent are classed as failures, with a total of 19.29 per cent to be considered in the unsatisfactory group. This splendid work of rehabilitation is more than justifying itself.

STATE NARCOTIC HOSPITAL.

Hospital for Care and Treatment of Narcotic Addicts Established.

This hospital, established at Spadra on the site of the old Pacific Colony, was opened in August of 1928 with capacity for forty-two patients. The experiment proved successful, and during 1929 a building was erected to provide for 50 additional patients. We have maintained our resident population at capacity, transferring all women addicts to Patton and furloughing the overflow of men patients, in the way of convalescent cases, to the Norwalk State Hospital. The Narcotic Hospital has been looked upon as an experiment, but we are confident that it has ceased to be such, and has demonstrated its need and its right to a continuance in the future. Nation-wide attention has been attracted to this institution; its program

and accomplishments are being watched carefully by federal agents and officials of other states. The success of this original California project portends the establishment of similar hospitals in other states based upon the California program of treatment, training, rehabilitation, parole and supervision.

Construction Program Completed and Planned.

Contracts have been let for the construction of two cottages, to house 25 patients each, a receiving building and a gymnasium and recreational hall. These buildings should be ready for occupancy not later than July 1, 1931. The program for the coming biennium calls for further patient capacity, employees' quarters, a modern poultry plant for training of the older group of patients, and an up-to-date auto mechanics and general vocational shop building; also the construction of residences for both the medical director and the resident physician. Heretofore, these officers have been required to live in one wing of the main building which houses patients.

Patients Held in Hospital Eight Months or Longer.

Patients are treated and held for a period in excess of eight months, as required by law, and are then granted parole under supervision, some sort of suitable employment having been arranged before they may leave the hospital. At the end of two years from date of commitment, which is also provided by statute, discharge is granted all cases either on parole or escape, or still in hospital, as the case may be. All patients who are in the convalescent class (off the drug), and physically able to do so, are required to work. At the present time vegetable and landscape gardening, orchard work and all classes of maintenance work are done by patients.

Large Number of Addicts Treated.

Since the hospital was opened there have been 497 commitments. There are 110 who have been discharged, and 303 who have been paroled, furloughed, or transferred to other hospitals, or who have escaped or died, thus leaving 84 actually in the Narcotic Hospital as of November 15, 1930. According to the provisions of the law, there are 297 others still on the rolls of the institution, composed of 112 on parole and the remainder included under the heads of furlough, transfer, or escaped.

Escapes Prevalent During First Year.

Escapes were prevalent during the first year of the operation of the hospital, due to two reasons—first, the type of patient sent to us for treatment, principally persons with a history of years of addiction and lengthy police records; and secondly, the lack of custodial features. The plant and some forty acres have now been enclosed with a steel-wire fence 13 feet in height, which is lighted at night. Through the medium of the fence, and a provision written into the law at the last session of the Legislature making escape or attempted escape a misdemeanor punishable by eight months' imprisonment in the county jail, escapes have been reduced to a minimum. The jurisdiction granted over these patients at the coming session of the Legislature should be increased through the enactment of additional and corrective legislation on the subject.

THE BLIND.

New Policy and Construction Program.

The Industrial Home for Adult Blind, following out the new policy of its being only a training institution, is proving very successful. The custodial cases are being cared for by their respective counties of residence. A reinforced concrete and fireproof broom-shop building has been built, replacing an obsolete frame shop building considered an extreme fire hazard. The entire institution has been given a general renovation. All buildings have been painted inside and out during the past year. A modern salesroom and office building has been erected on the grounds. The quarters formerly occupied by these functions, have been converted into reception rooms and recreation rooms where the residents may meet and converse with friends and relatives, listen to the radio, and enjoy the daily news, magazine articles, books, etc., which are read to them by two readers employed by the Home.

Field Supervision and Home Training.

The staff of field workers who train the blind who are unable to leave their homes for training at the Industrial Home has been increased by four. Formerly this work was handled by two persons, one in the north and one in the south. The State now maintains trained workers, teachers of blind hand crafts, as follows:

- One for the San Francisco Bay district.
- One for northern California.
- One for San Joaquin Valley.
- One for San Diego city and county.
- One for Los Angeles proper.
- One for Los Angeles County and southern California.

The Blind Population of the State.

The blind population of the State has been estimated, through a survey conducted by the Department of Social Welfare, at between 2500 and 3000 adult or

trainable. We are reaching a great many of these through our field work, but our staff is not adequate to cover any appreciable number of the whole group. It is impossible for one person to contact more than a relatively few and give them any sort of instruction, training and supervision. The more intensified training of this group in hand crafts through which they may become, at least in part, self-supporting, should materially reduce the obligation to this group through the so-called "Blind Pension Bill." The group is large and the burden heavy. An extended and intensified training program should prove economy to the State.

Industrial Workshops Provided.

An industrial workshop for blind and handicapped persons has been established at 1240 West Pico street, Los Angeles. This is meeting a long-felt local need. There are now sixty-five blind receiving instruction and employed in this shop. Their product is sold through a State operated salesroom at the above address. Profits from the sale are paid the workers. This shop was in the nature of an experiment and thus far is proving a big success. It is quite possible that future legislation will be enacted that will permit of the establishment of similar shops in other large centers of population.

DEPARTMENT OF INVESTMENT.

DIRECTOR, WILL C. WOOD.

The bill creating a Department of Investment, including the Division of Banking, Division of Building and Loan Supervision, Division of Corporations, Division of Insurance, and Division of Real Estate, became effective in August, 1929. The department was organized as provided, and regular monthly meetings of the Board of Investment have been held as required by law. These meetings have afforded a clearing house for problems involving two or more of the divisions and have been very helpful in the solution of such problems. With the limited powers given to the Director of Investment, the plan of organization has achieved as much as could reasonably be expected. I would suggest that you consider whether the Department of Investment might not be more appropriately named the Department of Investment Regulation.

SUGGESTED CHANGES.

Term of Director.

As an outgrowth of the department's experience, the question arises as to the term the director should serve. Under the present law, the chiefs of divisions serve in fixed rotation as Director of Investments for a period of six months. The term is too short for the work-out of a continuous policy, which is undoubtedly desirable, and it is worth considering whether the term of the director should not be for a longer period—possibly for a year. The question also arises as to the future status of the Department of Investment. If the director is to represent the Governor in the handling of investment problems and is to supervise and correlate in an efficient manner the work of the several divisions, a more stable arrangement is in order. This might be accomplished either by the appointment of a Director of Investment, to have charge over all the divisions, as in the Department of Natural Resources; or, if it is thought that this extra expense should be avoided, by naming as director some one of the division chiefs, as in the Departments of Industrial Relations and Military Affairs. If the latter plan is followed, care should be taken to see that the director is not chosen from a division which has interests conflicting with those of any other division.

Larger Authority for Director Advisable.

Under the present law the director is without legal authority to insist that modern and effective methods of operation obtain in the several divisions. The law should be so amended that the director may require and be held responsible for the effective operation of the several divisions composing the Department of Investment.

Regulation of Investment Trusts.

The investment trust is a comparatively new development in the United States. However, these organizations have, during the last five or six years, absorbed huge amounts of investment funds. Taken as a whole, the volume of funds handled by the various types of investment trusts in the entire country will soon be quite as large as the volume of funds handled by building and loan associations. These trusts should, in my judgment, be under adequate supervision, which will involve an annual examination and appraisal of the assets carried, such examination to be made by a competent State agency. This is probably of such rapidly increasing importance as to require immediate and effective supervision of investment trusts.

Necessity for Reports and Statements.

Periodical reports to the supervising agency should be required as to all investment trusts, and the publication of a statement of assets and liabilities at least once a year should be another requirement. This suggestion, however, does not involve the publication of lists of securities held by the corporation. When

so large a proportion of investment funds is carried in institutions of this type, the public is entitled to authentic information as to the financial status of the institutions concerned.

DIVISION OF BANKING.

General Progress of all Banks in California.

The past fiscal year brought to a close a decade of banking growth and expansion in California which is unparalleled in any previous decade in our banking history. Going back to June 30, 1920, we find that the 725 State and national banks with their 170 branches doing business in California reported aggregate resources of \$2,499,316,000. On June 30, 1930, the 436 State and national banks with 852 branches reported aggregate resources of \$4,233,409,000—a gain of almost two billion dollars in the period of only ten years. For this period savings deposits show an increase of almost one billion dollars, bringing their total up to \$1,890,136,000 on June 30, 1930. Meantime the volume of loans secured by urban and rural property has increased from \$472,176,000 to \$993,586,000 and commercial loans from \$908,999,000 to \$1,360,797,000.

Present Status of Banks and Banking—National and State.

While the number of banking corporations (State and national) has declined from 725 on June 30, 1920, to 437 on June 30, 1930, due to absorptions and consolidations with the large branch banking systems for which this State is noted, the number of banking units has increased by virtue of the establishment of new branches. There are now 852 branches of banks in the State in contrast to 170 in 1920. Our total gain in banking units or establishments has been 394 for the decade. The past two years, and particularly the one just closed, have shown a slackening in the rate of banking growth, which was to be expected in view of the events of the past two years.

Reasons for More Moderate Growth.

Bank statements reflect quite accurately the effect of changes in fundamental business processes, and it is now a well-established fact that industrial production began to decline early in 1929, and with it, the amount of new business offered to the banks. Building activity had failed to maintain its record of phenomenal increase which began in 1921, and though agricultural activity continued at normal levels in California, the decline in the amount of new business offered and the curtailment of general purchasing power, caused by gradually decreased production schedules, were apparent in the statements of the banks. In California the June, 1929, reports of the banks showed a substantial yearly increase in savings or time deposits, but the record of the preceding years was not maintained. There was a decline in real estate loans, though commercial loans showed a substantial increase on account of the growth in security market financing. Commercial deposits remained relatively unchanged.

Condition of State Banks.

In view of surrounding business conditions, the State banks have made a very creditable showing during the past two years. All banks in this State (State and national) reported an aggregate decline of \$38,000,000 in savings on deposit on June 30, 1930, as compared to June 29, 1929. Summaries reveal that the State system actually recorded a slight gain in savings deposits during this interval. While a decline of only \$8,604,000 in commercial deposits was recorded in the annual comparison based on the State system, the total decline for all banks was \$46,000,000. The volume of commercial loans in all banks shows an aggregate decline of \$31,000,000, \$26,000,000 of which was in the State system. Total real estate loans show a decline of \$26,000,000, \$18,690,000 of which was in the State system. In past periods of economic depression the question of liquidation without loss in slow-moving credit lines has been the chief concern of the banks. The present situation affords an agreeable contrast, for at no time during the present administration has the cash and secondary reserve position of the banks been more adequate. They have more than ample funds for any emergency, and are now ready for the general revival of business that follows in the wake of a temporary period of slackened industrial and commercial growth.

Stockholders' Liability.

The statute with reference to the liability of stockholders of banks should be amended in such a way that it will conform substantially to the provisions of the National Bank Act, which means that the stockholders would have an additional liability of 100 per cent of the value of the stock owned by them. This can be accomplished under Ballot Proposition No. 16, adopted at the recent election. In addition, the law should provide that the Superintendent of Banks should have the right, in the event that he takes possession of the bank, to collect this liability. Furthermore, there should be a provision of the statute that where there is an impairment of capital of a bank and the bank is still in operation, the Superintendent of Banks would have the right to order an assessment to repair the capital.

Term of Superintendent of Banks.

The Commissioner of Insurance and the Commissioner of Building and Loan Associations have a definite term fixed in the law. The tenure of the Superintendent of Banks is at the discretion of the Governor. In other states the tendency recently has been to give the Superintendent of Banks a definite term. I suggest and recommend that section 120 of the Bank Act be amended so as to provide that on January 1, 1932, a Superintendent of Banks shall be appointed for a term of four years, and that, thereafter, the term be maintained at four years, with interim appointments due to death, resignation or other cause, to be filled for the unexpired term. Until January 1, 1932, the Superintendent of Banks appointed by the incoming Governor would hold at the pleasure of the Governor, as at present, and at that time he should be reappointed by the Governor for a four-year term. Under such plan, whenever there is a change in the State administration, the Superintendent of Banks would have opportunity, for a period of one year, to work with the incoming Governor, and the Governor would have opportunity to appraise the work of the Superintendent of Banks during that period. The business of banking is of such great importance in the economic structure of the State that the supervisory agent of the State should be continued in office solely on the basis of efficiency and good judgment, rather than as a matter of politics or patronage.

DIVISION OF BUILDING AND LOAN SUPERVISION.

Growth.

During the biennial period which ended June 30, 1930, building and loan has taken the greatest forward strides in the history of the business in California. Assets have mounted from \$337,706,657 to \$513,110,594, or an increase of over 50 per cent. In consequence, California has earned fifth place among states of the nation in volume of building and loan assets. This tremendous growth was accomplished in part, at least, during a period of world-wide depression which had its adverse effect on general business progress and prosperity, and hence on home building, which is the backbone of the building and loan business. Seventy per cent of association assets consist of 136,000 home loans, averaging less than \$2,500, on association books.

New Legislation.

The last Legislature passed several laws calculated to increase the safety and efficiency in building and loan operations. The most important enactment was a law requiring that associations must apply to the commissioner for permission to sell capital stock. This law has made it possible to prevent the organization of associations on a promotion basis, by permitting the commissioner to set up such rigorous conditions in regard to sale of stock that the promoter has been completely eliminated. Another important step was a law providing for the licensing of branch associations. Under this act an association must secure the approval of the commissioner, take out a license and put up an additional \$25,000 paid-in capital, for each branch to be established.

Reorganization of Division.

Complete reorganization of the division has been accomplished, permitting this supervising agency to keep pace with the rapidly growing and changing building and loan business. Although the scope of examinations has been greatly enlarged, every association is now assured at least an annual examination, and endeavors are being made to insure that they shall be even more frequent. Appraisal of real property has been instituted through the employment of a corps of experienced appraisers, and, for the first time since the institution of State supervision, an examination of the records and accounts is accompanied by an appraisal of a cross-section of the properties upon which the association's funds are loaned. Write-offs out of profits are required where loans are found to be excessive. Associations have been encouraged to carry larger cash balances, and the ratio of current assets over current liabilities is now 2.7 to 1, an improvement of 100 per cent during the past year. A close check has been kept to see that associations maintain the reserves required by law. The biennial period has shown a rapid development of branch building and loan systems. Thirty associations were affected by mergers, there now being 87 branch associations in operation. The total number of associations has increased from 216 in 1923 to 224 at the present time. Most of the mergers have resulted in the creation of stronger, as well as larger, associations.

AN ASSOCIATION LOOTED.

A Building and Loan Defalcation.

Within the past month in the southern part of the State there has occurred a building and loan disaster so deplorable as to attract wide attention. It involves the tragedy of a man who, as a leader in all civic and business enterprises, had gained the good will and confidence of every one in the community where he was born and had spent his life; but who for years had been systematically looting the rapidly growing business he had built up. Whatever his system of concealment may have been, it eluded the vigilance of examiners under at least three and possibly

four Building and Loan Commissioners, until the total of his defalcations became a staggering sum, and many thousands of people had been robbed of the money they had invested with his association.

Examination Reveals Conditions.

The unfortunate feature of this failure is the fact that the commissioner who discovered the embezzlement did not discover it until he had been in office for more than a year; although, as I am positive every building and loan official in the State would agree, inspections during his administration have been more rigid and thorough, and in the case of any association suspected of weakness, more frequent than ever before in the history of building and loan supervision in California. Upon his appointment the new commissioner at once insisted that he must have more examiners and appraisers; but, after these were furnished through a budget addition by the Department of Finance, their chief activity was to protect the interest of investors in associations that might require special attention, with no thought of danger from this, which was ranked by everyone as among the strongest and most flourishing associations of the State.

Lessons from This Experience.

Fortunately building and loan defalcations of this kind are of extremely rare occurrence, and do not in any way affect the stability of other associations. Such a catastrophe is so serious when it does occur, however, that nothing should be taken for granted; and every financial institution in charge of the people's money should be obliged to furnish audits by qualified public accountants—a requirement which the present building and loan commissioner was the first to seek—as well as continue to receive careful examinations at frequent intervals. As stated above, this has required a considerably increased staff for the commission, and the additional cost should be partly met by requiring additional fees from those associations which consume an undue amount of the commissioner's time. It is essential that public confidence shall be maintained, and it is of interest to note that, except for one case of personal dishonesty, present building and loan conditions are especially sound.

Recommendations.

Among the recommendations are: A law giving the commissioner the right to determine necessity and convenience for the establishment of new associations or branches; the power to appoint an operating custodian without the necessity of ordering immediate liquidation (procedure such as is permitted in connection with the rehabilitation of a weak bank); a larger appropriation to admit of more frequent examinations; the right to require the publication of statements of condition; closer supervision of agents; the fixing of effective penalties for violation of code sections and the orders of the commissioner.

DIVISION OF CORPORATIONS.

Corporation Financing.

Corporate financing in all of its phases has passed through, within the past eighteen months, a most critical period. The stock market crash of October and November, 1929, had the result of making the distribution of corporate securities extremely difficult, if not discouraging. Many enterprises were on the threshold of their expansion, but, with the losses occasioned to investors in securities at that time and the resultant fear and cautiousness on the part of the investing public, the completion of these expansion programs was rendered impossible until there has been a reestablishment of confidence in the future. The result of the depression caused by the collapse of prices on the stock exchanges has probably been felt more keenly by the Division of Corporations than any other State agency, due to its closeness to corporate financing and the sale and issuance of securities generally. The number of applications for permits authorizing the sale of securities within the State of California has always been considered an accurate barometer of business conditions, and as indicating the pulse of the investing public in their attitude toward securities generally.

Returning Confidence Shown in New Financing.

That a return of confidence on the part of the public is gradually growing is indicated by the fact that both the number of applications and the aggregate par or face value of securities represented by such applications are approximately equal to the number of applications and aggregate par value of securities that were represented thereby that were filed with the division during the few months next preceding the stock market debacle. During the four months next preceding the October crash there was filed in the three offices of the division an average of 626 applications per month and during the same period the average monthly receipts from such applications were \$38,263, whereas, during the four months of this year from June 1st to September 30th, both inclusive, there was filed in the three offices of the division an

average of 667 applications per month and the receipts of the division averaged \$36,236.

More Applications But for Smaller Amounts.

The filing fees received by the division are based upon the amount of stock for which a permit is applied. The comparison of the average number of applications filed, together with the average receipts during the two four-months periods mentioned, indicates that there are slightly more applications now being filed than were being filed just prior to the stock market slump of 1929, but the applications request an authorization for a smaller average amount of stock per application than previously, as indicated by the smaller amount of fees collected. This indicates cautiousness on the part of the applicants, but the number of applications filed indicates a healthy condition and a tone of confidence in the possibilities of corporations in carrying on their plans of financing through public subscription.

IMPROVEMENTS IN SERVICE.

Improvements in Division Procedure.

Many important improvements have been inaugurated within the division. These improvements have been made with the view of cutting down the elapsed time required between the filing of an application and the issuance of a permit thereunder, but without lessening in any respect the scrutiny where public subscription to the securities authorized is contemplated. One of the first and most important improvements put into effect was the printing and distribution of Rules of Practice for the guidance of those having business with the division. These rules are complete and cover the policies in all the bureaus of the division and clearly set forth the theories and reasons underlying its activities.

Results of These Improvements.

Red tape has been reduced to a minimum with the result that permits authorizing the sale of securities now reach the applicants within an average of 3.82 days after the application is filed against 7.32 days in the month of May, 1929, when the new methods were inaugurated, and several times that number of days only a few years ago. This reduction in the elapsed time has been accomplished without adding any additional personnel, and without lessening any material investigation as to the merits of each application. It has, however, been accomplished through modern methods being substituted for the antiquated methods of handling the business prior to that time. These improvements have resulted in much public commendation and favorable criticism. Another matter which will undoubtedly help in the work of the division is the publication of a manual for the use of the deputies and other personnel. It is complete within itself and covers all of the functions of the commissioner and the division, citing the various laws granting him authority.

Supervision of Books and Records of New Permittees.

There has also been established, within the bureau of analyses, the policy of having qualified auditors make periodic examinations of the books and affairs of new permittees, in order that it may be determined whether or not they are setting up their records in proper shape, and to discover whether the permits are being strictly complied with and the money realized from the sale of securities expended in accordance with the statements contained in the applications. This work is being done on the theory that many corporations make mistakes in interpreting the terms of the permit, which, if brought to their attention, are easily corrected. Thereby, violations of the Corporate Securities Act, with the resultant question as to the validity of securities issued by such corporations, are avoided.

Bureau of Complaints and Investigations.

There has been inaugurated within the division a Bureau of Complaints and Investigations; and the policy has been established where, from the facts presented, the commissioner is without jurisdiction to act but if it is clear that a crime has been committed, the commissioner will certify to the prosecuting officer of the county where the crime was committed a concise statement of facts, setting forth the nature of the alleged crime, together with names and addresses of witnesses. The establishment of this practice has resulted in a clearer understanding of the prosecuting attorneys with reference to the Corporate Securities Act, and in speeding up the bringing to justice of those offenders.

DIVISION OF INSURANCE.

Increased Responsibilities.

The activities and responsibilities of the Insurance Division have been materially increased during the past two years, largely through the enactment of certain legislation at the 1929 session of the Legislature and through an increase in the number of insurance companies licensed to transact business in this State, which latter of necessity carries with it a large increase in the number of agents licensed by the division, and a corresponding responsibility in its examination branch.

During the past two years, 56 new companies have been admitted to the State, while only seven have withdrawn.

Commissioner's Increased Jurisdiction.

Among the insurance acts of the last legislative session was a law similar in its provisions to the Corporate Securities Act, under the terms of which all permits for the sale of stock or other securities by insurance companies must be secured from the Insurance Commissioner rather than from the Corporation Commissioner, as heretofore. Under the old method of supervising the sale of these securities, the Corporation Commissioner was permitted by the law governing his activities to issue a permit for such sale only to companies in process of organization, and once the company secured a certificate of authority to transact an insurance business, the jurisdiction of the Corporation Commissioner ceased. No provision existed for the supervision of subsequent stock sales by such company. The Insurance Commissioner now has jurisdiction over such sales at all times. While it is possible that this law may require amendment from time to time, the only outstanding requirement at this time is to broaden the bill so that it will cover not only companies organized for the transaction of an insurance business in this State, but also include insurance companies of other states desiring to sell securities in California.

Restriction on Mutual Benefit Associations.

There was also enacted at last session an amended statute pertaining to the operations of mutual benefit and life associations. During the past four or five years a large number of applications from various persons desiring to organize so-called mutual benefit associations have been received. I say "so-called" because in many instances they were not truly "mutual benefit" associations but rather strictly commercial organizations to be operated in the interests of the organizers. Under the present law more complete supervision is provided, thereby protecting the interests of the general public to a greater extent, although it is doubtful whether this is yet being accomplished in adequate measure. The division is giving the matter further study.

Regulation of Automobile Service Clubs.

Many automobile associations or service clubs having been organized in California in recent years, a considerable percentage of which were operated by more or less unreliable and in many cases unscrupulous persons, who represented them to the general public as insurance companies, a bill bringing such clubs or associations under the jurisdiction of the Insurance Commissioner was enacted, with the result that the citizens of this State have been saved large sums of money which would otherwise have been lost. It is needless to say that this bill was bitterly fought because of its apparent stringent requirements. Reliable organizations only can meet such requirements.

Checking Financial Affairs of Companies.

Careful check of the financial stability of the various insurance companies operating under our direct supervision has been maintained in order to safeguard the interests of the general public, particularly because of the conditions that have existed in the stock market in the last twelve months. Investments are being closely watched, and in the case of two companies found to be not in a healthy condition, I am glad to advise that one has already recovered following its reorganization and is now found to be in a stable condition, while the second, although not yet having completed its rehabilitation, is in such condition as to indicate that there will be no loss to policyholders. From the present outlook it would appear that this company also will be successfully reorganized and put on a sound basis. One other company found not to be in the best financial condition has reinsured all its outstanding liabilities and is being liquidated.

Handling Complaints.

While the division lacks judicial power, it has been very successful in the handling of many hundreds of complaints pertaining to settlement of claims or disputes between insurance companies, agents or brokers and the insuring public. Through these efforts many thousands of dollars have been collected and turned over to the assured, many of whom would have been compelled to sacrifice their claims because of a lack of funds with which to appeal to the courts.

DIVISION OF REAL ESTATE.

General Progress.

During the past three years the Real Estate Division has collected and tabulated authentic data regarding soil conditions, water availability and California crop conditions in connection with agricultural land subdivisions. Agents of the division have visited, inspected, and written up public reports on about 200 projects, some of many thousand acres, totaling hundreds of thousands of acres in this and other states. They have effectively stopped the sale of sixteen questionable agricultural subdivisions and persuaded the promoters of scores of others to change their setup in some vital particular. The sale of large tracts in the Colorado River watershed

hundreds of feet above possible reach from any canal, which were offered as irrigable lands at from \$10 to \$100 per acre, has been prevented.

Importance of Strict Supervision.

Watchfulness over these land projects is essential to the protection of the real estate business and the people of the State of California. By tabulation of listed acreage and prices we know that during the past three years the division's reports and enjoining orders have saved the people of this and other states at least thirty million dollars. During the past three and one-half years we have, as a result of 7695 conferences between agents and their accusers, brought about restoration of cash and real property to people from whom they were wrongfully taken, to the total value of \$6,492,269.95. The total expenditures to effect these results were \$642,702.24.

Decrease in Number of Licenses.

Due to the fact that there are about 15,000 fewer persons licensed this year than last, and a cut of 50 per cent in the broker renewal fee became effective in the fall of 1927, a drastic and still continuing reduction in the personnel of the division was made necessary despite additional work imposed upon the division by the amendments to the act, effective in the fall of 1929.

Examinations.

It is now necessary for an applicant for a license to demonstrate his educational qualifications by successfully passing a written examination. Specimen questions were published, in order to give the licensees and applicants for licenses an idea of the type of questions that would be asked in the examination. The deputies of the division also appeared before various groups and explained in detail the workings of the Real Estate Act.

Many Complaints Received.

Depressed business conditions are responsible for an unusually large number of inquiries and complaints. A careful analysis shows that only about 50 per cent of them are found to have merit; but during the first eight months of this year, 1385 agents were called before the department by aggrieved customers and clients, and at informal conferences satisfactory adjustments were made in many cases. One hundred sixty-four agents were called to formal trial during the same period, and 45 were found guilty and were deprived of their licenses.

PUBLIC UTILITIES REGULATION.

The Railroad Commission, into whose hands the State constitution commits the regulation of public utilities, must of necessity be considered apart from the five agencies included under the Department of Investment. The four years comprising the last two bienniums have been distinctly a period of transition in the public utility field, during which there has been a series of large mergers of gas, electric, water, and automotive utilities. During this period, also, there passed out of the jurisdiction of the Railroad Commission the large water systems serving San Francisco and the East Bay cities, through their assumption of municipal ownership.

Scope of Public Utility Operation.

For the year ending December 31, 1929, there were 1636 public utility and transportation companies filing reports with the Railroad Commission. Their operating revenue during the four-year period of the present administration has grown very materially from year to year, as is indicated by the following approximate figures: For 1926, \$543,091,000; for 1927, \$591,988,000; for 1928, \$599,411,000, and for 1929, \$621,636,000. For the year ending June 30, 1929, and for the year ending June 30, 1930, the Railroad Commission passed on applications for permission to issue securities involving the following amounts:

	<i>Year ending June 30, 1929</i>	<i>Year ending June 30, 1930</i>
Securities authorized -----	\$122,665,101 23	\$267,717,330 17
Securities denied -----	2,785,909 61	1,222,900 00
Securities dismissed -----	1,240,100 00	47,031,669 27
Totals -----	\$126,691,110 84	\$315,971,899 44

Conservative Policy on Financing.

During the last two years, the commission has adhered to the policy which has for its end the conservative financing of public utility properties. In the refinancing of such properties incident to their transfer, the commission has held to the position that the amount of securities which the purchaser may be permitted to issue should not exceed the actual or estimated historical cost of the properties including land at present market value, less accrued depreciation.

FIXING OF PUBLIC UTILITY RATES.

Interim Rates.

The Railroad Commission adopted a new policy in the fixing of public utility rates during the last biennium, which resulted in immediate benefits to the general public on a large scale, by establishing reduced interim rates for both gas and electricity. These rates are to prevail during the continuance of major rate proceedings that show indications of being drawn out unduly, pending the fixing of a complete rate basis upon which so-called permanent rates may be established. In the field of gas distribution, the service has been transformed from artificial to natural gas, so that approximately 95 per cent of the consumers are now enjoying the advantages of the more efficient fuel without being required to pay commensurate increases in rate.

Ceiling Rule.

Another important policy has been declared by the commission, which resulted in substantial savings to telephone users by the promulgation of the so-called "ceiling rule." In brief this rule is as follows: "That a company having a farflung business in the State, which is on a reasonable and normal earning basis as a whole, may not pick out one section where its earnings are subnormal, and obtain a rate increase there without expecting a decrease somewhere else, so that its overall State earnings will not be augmented." Application of this rule resulted in offsetting necessary increase of rates of approximately \$2,100,000 a year to the Bell System in northern California, by a contemporaneous reduction of \$2,300,000 for the Bell Company operating in the Los Angeles area.

Transportation Industry Changes.

Aside from the changes made by the commission, the utilities, particularly the railroads, have made many radical downward revisions in their rates during the last two bienniums, which changed the aspect of the transportation business somewhat. Some of these were brought about by the increasing use of the automotive carrier, a type of transportation made possible by the widespread development of our highways. Others were due to the development and growth of our resources.

Benefits of Regulation.

Benefits of regulation from the standpoint of the public utility patrons reached record figures during the last two bienniums. Reductions in rates during that time totaled more than \$20,000,000, as against increases of approximately \$3,500,000, each of the figures representing the decrease or increase per annum. The denial of requested increases aggregated more than \$3,700,000. A number of large decreases in rates were made voluntarily by utilities, rendering rate proceedings unnecessary. Compared with the cost of maintaining the commission, which is about \$500,000 a year, regulation has produced measurable results to the users of utility service.

OTHER COMMISSION ACTIVITIES.

Natural Gas Conservation.

The Engineering Department of the Railroad Commission, through its chief gas and electric engineer, has made an intensive study of the subject of natural gas production, utilization and wastage. A report was prepared by the Gas and Electric Engineer in 1928, calling attention to the tremendous wastage of this precious natural resource in the production of petroleum in California. The commission's engineers have cooperated actively in furthering the State conservation movement that followed the filing of this report, and, in conjunction with the State Department of Natural Resources, have aided materially in having large amounts of natural gas utilized, or reinjected into the ground for storage and repressuring.

Distribution of Water Supplies.

The last three years have been marked by an acute period of subnormal rainfall. This has imposed a difficult task upon the Hydraulic Division in devising measures to provide an equitable distribution of the available water supplies among consumers of the major irrigation systems and many small domestic systems. These efforts were successful in preventing heavy losses to agriculturists through shortage of water. The division was largely helpful in perfecting a flow schedule for the utilization of the waters of the San Joaquin River by consumers on the largest irrigation systems in the San Joaquin Valley. This involved a working agreement between the power companies operating generating plants and storage reservoirs along the river, the largest riparian land owners, Miller & Lux, Inc., and the public utility irrigation systems. A flow schedule providing for release of water in accordance with the demands of irrigationists was placed in effect, which resulted in equalizing the flow of the river and extending the irrigating season into the fall months.

Reparation.

Many of the orders of the commission with respect to freight rates have required the carriers to refund excessive charges paid by shippers within the statutory period. The aggregate amount of these reparations is estimated at \$1,000,000. One decision rendered by the commission during the present biennium meant a refund of some \$250,000. In addition to these intrastate matters the commission has also represented California in proceedings before the Interstate Commerce Commission involving the deciduous fruit rates from California to eastern points, the construction of new lines of railroad, and the general readjustment of the entire railroad rate structure on grain and grain products, live stock, cotton seed and other essential commodities.

Safety Measures Ordered.

Outstanding among the actions taken in the cause of public safety during the last two biennial periods were the creation of a safety division to prosecute a vigorous campaign for the enforcement of safe operation of passenger transportation lines; the issuance of general orders regulating overhead electric line construction and safe clearances on rail lines, and the elimination of dangerous grade crossings by means of overhead or underpass grade separations or crossing protection. Hundreds of unsafe operating conditions and impaired clearances on other rail lines have also been removed through the enforcement of these orders.

Record of Litigation.

The Railroad Commission has been a party to 225 court cases involving its jurisdiction or upholding its orders, during the 19 years since it was reorganized in its present form. But 17 of these cases were actually lost. In view of the fact that the commission has issued approximately 23,000 orders during that time, it has been reversed in less than one-tenth of one per cent of its actions.

DEPARTMENT OF MILITARY AND VETERANS' AFFAIRS.

DIRECTOR, ALLEN B. HIXBY.

In my first biennial message I stated that in accordance with the general scheme of reorganization, and in order that all related State agencies may be grouped together and their functions coordinated within a department with representation in the Governor's Council, it seemed desirable that the National Guard, the Veterans' Welfare Board, the Veterans' Home, the Woman's Relief Corps Home, and the State Athletic Commission should constitute independent divisions of a new department. The Department of Military and Veterans' Affairs was therefore created. This departmental organization preserves the autonomy of the above named agencies, but affords opportunity for cooperative solution of mutual problems affecting both service and ex-service men and women.

NATIONAL GUARD.

Strength.

There has been a continuous and healthy improvement in the National Guard of this State during the last two years. The strength has been increased from 5839 to 6455, which is the maximum fixed by War Department appropriations. There are applications on file from over forty cities in the State desiring National Guard companies which can not be accommodated.

Drill and Camp Attendance.

The armory drill attendance has increased from 80.83 per cent to 83.58 per cent during the last two years, and over 90 per cent of the men attended camp during 1930. The reports of the War Department based on the annual armory and field training inspections indicate that a great improvement has been made in training. Programs and schedules are being more closely followed, and generally speaking, the National Guard of this State may be said to be in splendid condition. It is rated by the War Department as one of the best national guards in the United States. This fact is recognized by many other states which are following with success the methods initiated by California.

Care and Accountability of Property.

Care and accountability of property has improved to such an extent that our accounts now balance with those of the federal government, and practically no shortages exist among the organizations. The total amount of federal property on hand is valued in excess of \$4,500,000.

Cost.

Federal aid to the amount of \$871,288 was extended to this State during the last fiscal year, or \$149.22 per guardsman. The State provided funds to the extent of \$51.50 per guardsman, making a total annual cost of \$200.72 for every officer

and enlisted man. These figures do not include money allotted for permanent improvements.

New Training Camp at San Luis Obispo.

This State has purchased 2789 acres of land in San Luis Obispo County for a permanent camp site at a cost of \$161,000, and the federal government has expended \$300,000 for the construction of camp facilities. The camp now has accommodations for one brigade of infantry, and all of the special units of the 40th Division. War Department plans contemplate a sufficient increase in these facilities to take care of double this number of troops. The National Forest Service has turned over approximately 3000 acres of its land for our use, which gives a total reservation and acreage of 5789 acres. The San Luis Obispo Camp has been declared by the chief of the Militia Bureau at Washington, D. C., and other experienced army officers to be the best training area in the United States. Experience with the three camps held there so far has proven it eminently satisfactory, and it has passed the expectations of its most ardent supporters.

Other Purchases Necessary.

Before the camp can be declared entirely complete it will be necessary to purchase two pieces of land lying between the camp site proper and the national forest land and other land recently purchased by the State. The water rights on a creek which are very vital to the future success of the camp also belong to the land which we do not yet possess. The items for the purchase of these two remaining plots of ground have been included in the budget recently submitted. After completing the acquisition of necessary properties for the San Luis Obispo Camp it will be necessary to secure a smaller camp on the coast for the coast artillery and anti-aircraft troops of the State. Recommendation for the purchase of such a site will be made in the future.

ARMORIES.

Improvements.

Considerable improvements have been made in the four State-owned armories during this biennium. The sum of \$48,000 has been spent on building stables and an addition to the armory at Stockton, and general repairs have been made to the armories at Sacramento, Los Angeles and San Francisco. The armory at Long Beach which was authorized by the last Legislature was completed recently.

Building Program for Armories.

The ten-year building program, if followed, will be of inestimable benefit to the National Guard. Heretofore the National Guard relied on securing appropriations from the Legislature for the construction of armories, and each time an effort would be made by any particular town to secure an armory, other cities or towns would make similar efforts, with the result that the National Guard secured nothing, and at the close of its eighty years of existence was occupying only four State-owned or suitable armories. Most of the armories, with the exception of the four mentioned, are rented or leased and are generally unsatisfactory. The fact that the National Guard has reached its present high state of efficiency speaks well for the loyalty and devotion of the commanding officers who have worked under such a handicap.

Rifle and Pistol Ranges.

A large number of rifle and pistol ranges have been constructed, and practically all of the units now have access to ranges. These ranges are made available to civilian rifle clubs, R. O. T. C. and other components of the army when not being used by the National Guard. A National Guard rifle team representing this State was sent to Camp Perry, Ohio, to take part in the 1929 and 1930 rifle matches.

High School Cadet Corps.

The California High School Cadet Corps, which is supplemental to the R. O. T. C. in the high schools and is placed in schools that can not secure the R. O. T. C. units, has shown a great improvement. The cadets of the Fresno Technical High School were adjudged the most proficient for the school year 1928-30 and were awarded a set of colors. The Sacramento High School was awarded a plaque for having the most proficient cadet corps during the year 1928-1929, as determined by a regular army officer. The annual rifle and small bore competition which was held at the State Rifle Range, Leona Heights, during May, 1929, was won by the Fresno High School, and the school was awarded the Adjutant General's trophy. The Fresno High School also won the match held during 1930 and was again awarded the Adjutant General's trophy for the high team score.

Historic Flags Preserved.

The war colors of the State dating back to the Civil War have been preserved by a patented method and installed in substantial insect and air-proof cases, and placed on the second floor of the Capitol. They now present one of the finest displays of colors in the United States.

Naval Militia and Marine Corps Reserve.

There is a movement under way to reestablish the Naval Militia and Marine Corps Reserve. Before the war California had such an organization, and it has been reorganized as a federal reserve force instead of a State force. Experience has taught that their efficiency would be very greatly improved if they could reestablish themselves on the same basis as the National Guard, and in view of their former service to the State and nation, it has been earnestly recommended that their reestablishment be approved.

VETERANS' WELFARE BOARD.

Origin.

The California Legislature of 1921 was a far-sighted body, with friendly tendencies toward the veterans who within the preceding 24 months had returned from foreign soil or training in American camps, for it formulated and passed the most constructive and satisfactory legislation for the benefit of the veterans yet conceived in any state of the Union. This legislation, which operates without cost to the taxpayers and without injury to the self-respect or dignity of the veteran, is a masterpiece of economy. As an accomplishment under this legislation thousands of California veterans are now securely housed in their own homes and many thousands of California acres are under cultivation by veterans who heeded the call to the farms.

Veterans' Legislation.

The specific acts comprising this legislation were known as the Veterans' Welfare Act, creating the Veterans' Welfare Board and defining its powers and duties, the Veterans' Farm and Home Purchase Act and the enabling act, designated as the Veterans' Welfare Bond Act, providing a bond issue of \$10,000,000. These were followed four years later by another Veterans' Welfare Act for \$20,000,000, and at the general election in November, 1930, by a vote of 835,579 to 265,682, or more than three to one, the voters of California approved a third bond act for \$20,000,000, which had been passed by the preceding Legislature.

Provisions of the Act.

The Veterans' Farm and Home Purchase Act provides a financing plan whereby veterans who were bona fide residents of California at the time they entered the military forces of the United States in time of war, can purchase farms or homes with a small initial payment and moderate installment payments extending over a long period of time, with a low interest rate on the deferred principal. The board is authorized to expend \$7,500 for the purchase of a farm or \$5,000 for the purchase of a home for each approved veteran applicant. In the case of home purchases the veteran is allowed the privilege of investing in the property a maximum of \$2,500 of his own funds.

Organization.

Executive administration, accounting, and classification of applications are functions of the main office of the Veterans' Welfare Board in Sacramento. For the purpose of conducting personal interviews with applicants, appraising property selections and placing tentative property purchasers in escrow with local title insurance companies, the State is divided geographically into three districts.

The Situation of the Veteran Farm Owners.

Since the passage of the Farm and Home Purchase Act in 1921, agriculture in both State and nation has experienced a period of depression. These subnormal years have been very trying for the farmers of California. The great majority of our veteran contract purchasers have, however, despite these conditions, carried on with the same spirit which actuated them in the trying years of the war, and we are proud of the successful record they have made. At the close of the last biennium, June 30, 1930, the Veterans' Welfare Board had purchased 290 farms, costing \$1,592,636.80. These farms, representative of nearly every type of California agriculture, are located in 41 counties of our State, and represent an average cost of \$5,491.

Veterans' Welfare Bond Act of 1929.

The Veterans' Welfare Bond Act of 1929, providing for the issuance of \$20,000,000 in bonds to continue the administration of the Veterans' Farm and Home Purchase Act, was adopted at the last general election by approximately a 76 per cent affirmative vote. The success of the \$20,000,000 bond act can be attributed to the wisdom of the veterans of California, who have worked out their own form of relief legislation without cost to the taxpayers, who have for the third time approved the method by granting the use of the State's credit for this purpose. It can also be considered as a vote of confidence for the able manner in which the Veterans' Welfare Board of the State has administered this tremendous fund to the satisfaction of the citizenry as well as of the veterans that this board was created to serve.

Prompt Home Construction.

The work of facilitating the purchase of farms and homes for qualified and eligible California veterans has, as a result of the success of this bond act, been vigorously begun, and the purchase of over 4000 additional farms and homes will ensue. This

means that a great impetus will be given to the building prosperity program beginning with the new year of 1931, which will furnish employment to hundreds of California workmen, thereby alleviating to an appreciable extent the unemployment situation which has been in existence, particularly among the building trades.

VETERANS' HOME OF CALIFORNIA.

Membership.

On January 1, 1929, the total enrolled membership of the Veterans' Home was 1352. On January 1, 1930, this membership had increased to 1543, an increase of about 15 per cent, and is at the present time in excess of this figure. The number of veterans actually present and cared for has increased from 839 in January, 1929, to 976 in January, 1930, an increase of over 16 per cent. The Civil War veterans are rapidly diminishing, the Spanish War veteran membership is constantly increasing, and many World War veterans are now applying for admission. The number of sick has increased from 145 in January, 1929, to 185, an increase of 28 per cent, which indicates that the proportion of veteran members subject to hospital treatment is rapidly increasing, thus calling for more hospital accommodations.

Building Program.

At the beginning of the present State administration a tentative ten-year building program for this home was formulated, the purpose of which was completely to replace the old and dilapidated frame buildings with modern fireproof structures, furnishing living quarters of the latest approved style, equipped with sanitary plumbing, heating, lighting and ventilating, so necessary wherever large numbers of human beings are housed.

The Buildings Proposed.

The main items in this building program are eight large, two-story, reinforced concrete, tile-roofed barracks buildings, with a capacity of about 200 beds each; a new mess hall, large enough to handle the daily feeding of 1600 men; a new administration building to house all offices under one roof; a patriotic hall for the use of the many patriotic organizations at the home; a guard house; a theater and library; a recreation hall, and various minor buildings, such as quarters for officers and employees. Of this ten-year building program, three barracks buildings, furnishing up-to-date quarters for 634 men, a new guard house and a number of single and duplex cottages for married employees have already been completed. These new barracks buildings have at last practically eliminated the fire hazard which for many years was a menace to the home. With their completion the third and fourth story attic rooms in the old buildings were padlocked, so that now no room is used above the second floor.

Hospital.

The only change that should be made in the ten-year building program is perhaps an earlier construction and equipment of a new hospital. The sum of \$260,000 is provided for a new hospital group. At first it was thought that remodeling or enlarging the present hospital might serve the needs of the home for some years to come. However, a careful and extensive survey clearly indicates that the present hospital has outlived its usefulness, is antiquated, unsanitary, badly located and has poor drainage. It is, therefore, urgently recommended that provision be made by the next Legislature for an amount sufficient to erect and equip a new fireproof hospital, located at a higher elevation at the southeast end of the reservation, where the buildings would have more air, better light, plenty of sunshine, excellent drainage, and be entirely removed from the ranch operations, which are now in the rear of the old hospital.

Discipline.

The home has suffered for years from the traffic in narcotics and the pernicious activities of bootleggers. Under the present administration this condition has been very largely corrected. There is no more traffic in narcotics within the reservation, and the operations of bootleggers have been practically suppressed through the excellent discipline maintained by the commandant, his officers and the members of the police guard.

Survey of Potential Vocational Rehabilitation Activities.

At the request of the director of the department, the directors and the executive staff of the home, Mr. Vierling Kersey, Superintendent of Public Instruction, recently instituted a survey of potential occupational rehabilitation activities at the home. The purpose of this survey was to ascertain the need for vocational activity for members of the Veterans' Home and if such a need were found to exist what form the activity should take. Although no organized program of training or occupational activity has ever been established at the home, the directors and executive staff are unanimous in the belief that such an activity should be undertaken and would undoubtedly be of great benefit to members.

WOMAN'S RELIEF CORPS HOME.

Purpose of Home.

Near Santa Clara, California, is the Woman's Relief Corps Home of California. It is an institution in large measure supported by the State, but with some contributions from various individual units of the Woman's Relief Corps of California, for the maintenance and care of widows, unmarried daughters, and dependent sisters of veterans of the Civil War. The population of the home varies but little, and is generally about 50, that being its extreme capacity.

Origin and Management.

The home was originally built from private funds secured by the Woman's Relief Corps, Department of California, with some assistance from the posts of the Grand Army of the Republic. It was established at Evergreen, Santa Clara County, and was changed to its present location following a fire which destroyed the buildings at Evergreen. The property at Evergreen was sold and the present property near Santa Clara purchased, the State contributing toward the purchasing price. The control is vested in a board of directors, consisting of seven women, all of whom are members of the Woman's Relief Corps, Department of California.

Future of the Home.

There is an ever-increasing demand for the care of women veterans composed of nurses and yeomanettes who have served in the Army, Navy or Marine Corps of the United States in time of war and for the care of indigent women dependents of all war veterans. If the scope of this home is to be enlarged to care for these deserving women it will be necessary to entirely reconstruct the institution. The facilities are now entirely inadequate for the purpose of an enlarged institution, and a well-planned building program similar to the plan adopted for the reconstruction of the Veterans' Home in the Napa Valley should be adopted.

STATE ATHLETIC COMMISSION.

Origin.

At the general election held November 4, 1924, there was passed "An act to authorize boxing and wrestling matches in the State of California," and under the provisions of this act the State Athletic Commission functions when such contests are held. The original act was passed by a majority of only 20,214 votes, but at the election November 6, 1928, an initiative measure to repeal the boxing law was defeated by a majority of 393,383 votes.

Organization.

The law provides for the appointment by the Governor of three commissioners, who, acting as a body, shall regulate boxing and wrestling matches. The commission is authorized to employ a secretary and such official representatives, designated as inspectors, as shall be found necessary. The main office of the commission is maintained in Sacramento, with branch offices in San Francisco and Los Angeles. A chief inspector is placed in charge of each branch office and supervises the inspectors in each district. All original records are kept in the main office.

Commission Self-supporting.

The law provides that 5 per cent of the gross receipts of all professional boxing or wrestling contests, except those conducted by veterans' organizations, shall be paid to the Athletic Commission, and that from such funds \$10,000 per year shall be allowed to the commission for operating expenses. The balance of the receipts from the 5 per cent taxes and license fees are credited to the State Athletic Commission's funds to be used for the construction of new buildings at the Veterans' Home.

Taxes and License Fees.

During the fifth fiscal year of its existence, December 1, 1928, to November 30, 1929, the commission received from the 5 per cent tax and license fees the sum of \$148,245.13. In the period from December 1, 1929, to October 15, 1930, the receipts from the same source amounted to \$137,374.89.

Investigation of Boxing Situation.

Although much of the Athletic Commission's activities are not directly connected with veterans' affairs, the fact that the funds derived through this commission were applied to the erection of new barracks and other buildings at the Veterans' Home made its inclusion in the Department of Military and Veterans' Affairs most natural and desirable. Accordingly, when some months ago there was evidenced a general dissatisfaction with boxing conditions in California, I commissioned the director of this department to select a board of inquiry, and with them to make a thorough investigation of these conditions. It is evident that this sport can not survive unless those who are interested in it believe that it is "on the square"; and the report which will follow the painstaking investigation of the director and his colleagues will be awaited with a great deal of interest.

DEPARTMENT OF NATURAL RESOURCES.

DIRECTOR, FRED G. STEVENOT.

The Department of Natural Resources has to do with the elemental resources of the State. The purpose of the department is primarily one of conservation. Interested as it is in the development of enterprises dependent upon the State's natural wealth, the greatest service this department can render to the people of California is such as will preserve to industry those things on which our State's industrial structure is builded. The guarding against waste of our mineral wealth, particularly the State's oil and gas resources, the protection of forests and watershed cover and preservation of our recreational areas, combined with the protecting and propagating of the State's wild life and the dissemination of information and knowledge of general interest concerning these resources, represent the most important activities carried on by this department through its five divisions, which are as follows: Division of Fish and Game, Division of Forestry, Division of Mines, Division of Parks, and Division of Petroleum and Gas.

DIVISION OF FISH AND GAME.

Duties.

The Division of Fish and Game is charged with the enforcement of fish and game laws; the operation of fish hatcheries and the proper stocking of our waters; the operation of game farms and the distribution of game birds from the farms; the purchase and management of game refuges; the supervision of our important commercial fisheries, and the scientific investigation of all problems pertaining to the conservation, propagation and perpetuation of our fish and game. The policies of this important State activity are promulgated by the Fish and Game Commission, and during the past biennium this body has established an enviable record in the protection of the wild life of California.

Self-supporting.

The work of the division is carried on entirely from the revenues derived from the sale of fishing, hunting and trapping licenses; revenue from the commercial fishing industry; and fines imposed by courts for the violation of fish and game laws. No appropriations are made from other State funds to support the work of this division.

Commercial Fisheries.

In 1929 the commercial catch of fish in California exceeded that of any other state, amounting to 850,000,000 pounds. The division placed in commission a new 86-foot patrol boat during the past year to assist in this industry. The Bureau of Commercial Fisheries also maintains a well equipped laboratory for scientific investigation, and for the collection and dissemination of statistics. The organization of this bureau has served as a model for many other states.

Game Birds and Fish.

During the biennium nearly 80,000,000 trout and salmon have been hatched and planted by the Bureau of Fish Culture. During the same period 15,000 pheasants were reared and planted and 6000 eggs distributed for hatching. Hungarian partridges, wild turkeys and other game birds were also reared and distributed. Striped bass have been planted in Salton Sea, and important work has been done in the rescue and transplanting of spiny rayed fishes by the Bureau of Fish Rescue. A 3000-acre game refuge for migratory waterfowl has been purchased and developed, with the help of the Game Refuge and Public Shooting Grounds Committee, and the preliminary work necessary to secure other areas has been completed. Deer have become more abundant as the result of the protection given these animals by restrictive legislation and by the creation of game sanctuaries.

Work Organized.

The work of the division is well organized into bureaus, that of patrol being the largest of the group, having 120 regular deputies in the field, and the assistance of 800 volunteers. Other important work is carried on by the bureaus of Education and Research, Hydraulics, and Licenses. The division maintains an annual exhibit at the State Fair, depicting in an interesting and colorful manner some of the attractive features of California's outdoor life.

Much Help Received.

The division is especially fortunate in having available the facilities and personnel of the University of California, the Hooper Foundation for Medical Research, Leland Stanford Junior University, the Hopkins Marine Station, the State Board of Health, the Federal Bureau of Fisheries, and other State and federal agencies. The division contributes to and shares in the benefits of these institutions.

DIVISION OF FORESTRY.

Forestry Policy.

An effective forestry policy is essential to the general welfare of California. To this end the State Board of Forestry, through the Division of Forestry, has expanded all branches of this service, resulting in a highly developed fire prevention organiza-

tion, which has contributed largely to the successful results attained in fire suppression work during the past fire season. The continued expansion of this important service should go hand in hand with the growth and development of the State, particularly in view of the increasing prominence given to our State water conservation program, recreational needs, and the value of our timber resources.

Fire Protection Progress.

During the present biennium the field force of the State Division of Forestry has increased nearly fourfold, due to the interest in forest protection taken by the State and federal governments as well as county and private agencies. Fire fighting facilities have been greatly increased through the construction of nine fire fighting trucks, by means of which many fires have been checked which otherwise would have burned over vast areas of timber and watershed. Increased detection has been made possible through the erection of four additional lookouts, and better communication has been afforded through the construction of telephone lines leading directly to the rangers' headquarters. Suitable offices have been provided for most of the inspectors and rangers, and their supplies of fire fighting equipment have been greatly augmented.

Hazard Reduction.

The reduction of fire hazards along State highways by the State Division of Highways in cooperation with the State forest rangers, has resulted in the elimination of most of the roadside fires. In this connection the Division of Motor Vehicles has been especially helpful in the enforcement of the State law as regards the throwing of burning tobacco from motor vehicles. Much remains to be done, however, in reducing the fire hazards along county roads. State rangers have been active in several counties in burning strips along such roads and in encouraging ranchers to plow fire guards inside their fences. The burning of slashings resulting from logging and cordwood operations has become a fixed policy, and State rangers accomplish much in the way of hazard reduction at a time when weather conditions make it possible to keep the fire under control.

Firebreaks.

The firebreak systems on the watersheds of southern California towards which the State has been contributing for a number of years, have been materially extended and improved during the past two years. In northern California extensive firebreaks were constructed last winter in Mendocino, Sonoma and Marin counties. This work marks the beginning of systematic firebreak construction in the northern part of the State. It is planned to continue it until all of the timber and watershed area outside the national forests are gridironed with firebreaks. When this is done the problem of fire control will be much simplified, due to the added accessibility to fire fighters.

Fire Prevention Education.

During 1930, in cooperation with the Extension Service of the University of California, 125 fire prevention demonstrations were given throughout the State. These demonstrations have led to a decided increase in rural fire protection since they stimulated the purchase of fire fighting trucks, such as are used by the State, by various small towns and communities. Education in fire prevention has made rapid strides in recent years, inasmuch as many organizations are cooperating with the State and federal foresters in causing the people to become "fire-conscious."

Acquirement of Delinquent Timber Lands.

The last Legislature passed an act whereby the State can acquire by purchase areas of cut-over timber lands the taxes of which have become delinquent. Steps are now being taken to acquire areas of this kind for State forests.

Season's Fire Record.

The gradual building up of the protection force and the use of motorized equipment are having a decided effect in cutting down fire losses. The fire season of 1930 was one of the best the State has ever experienced, due in part to favorable weather conditions, but largely to the effective fire organization supported by the State.

DIVISION OF MINES.

State Mining Board.

By legislative enactment in 1929, the name of this division was made the "Division of Mines"; and a "State Mining Board" was created, consisting of five members appointed by the Governor, to determine "general policies for the guidance of the division."

General Duties.

The division, aside from its general routine work, has through the years been helpful to the mining industry and particularly to prospectors, small operators, and mine owners not possessing the necessary facilities to cope with their many problems.

Mineral Production.

Mining represents a large portion of the State's productive wealth. Compilation of the final returns from the mineral producers of California for 1929 shows the

total value of the year to have been in excess of \$432,000,000, being an increase of approximately \$100,000,000 over the year 1928. Although the greater portion of this impressive total is made up of petroleum and natural gas, yet the value of the metallic and nonmetallic minerals is in excess of \$81,000,000 and equal to the maximum record made by California during the days of '49, when her mineral production astonished the civilized world.

Aid to Mining.

The division's fine mineral collections, reference library and facilities offered contribute in no small manner to the advancement of general mining knowledge, and represent the public interest in this highly important basic industry.

Geological and Economic Survey.

The 1929 budget of the Division of Mines contains a special item of \$20,000, to provide for the renewal of the geological survey of California. This work is being planned on an estimated ten-year program. The sum, although small, has permitted cataloguing and coordinating of the geological work thus far done by the State, United States Geological Survey, universities, railroad and oil companies, and prepares the way for the expansion of the program for carrying on necessary field work in areas of the State not yet studied and upon which reports have not been made. A bibliography of California's geology has been prepared, listing all public reports and papers.

County Mineral Survey.

The developmental activities of the division have included surveys and reports on the mineral resources of the following counties during the present biennium: Butte, Tehama, Madera, Plumas, Kern, Lassen, Modoc, Napa, San Mateo, Sierra, Colusa, Fresno, Lake, Glenn, Alameda, Mendocino, Riverside, Santa Clara, and Nevada. Special reports have also been made on such commercial, nonmetallic minerals as barite and mineral paint pigments.

Recommendations.

Special attention should be given during the coming biennium to the State-wide survey of the State's resources in the commercial and nonmetallic minerals, as there are constant requests for data and information as to these economic resources. The geological survey of California should have increased attention and support. This survey is of basic importance, and its early completion will facilitate the progress of mining and contribute to the wealth and prosperity of the State.

DIVISION OF PARKS.

State Parks.

The administration of California's State park system has been carried on in a highly satisfactory manner. Improvements have been made in those things contributing to the convenience and comfort of the visiting public. The State Park Commission, through the Division of Parks, has made the protection and preservation of these parks in a state of nature its prime objective.

Park Expansion Program.

In order to provide for a State park system which will include representative types of those things peculiar to California, the State park program inaugurated under this administration shows definite and satisfactory results. The preliminary period involving examination of various proposed park sites and their appraisal is now well advanced. The comparatively near future should bring about the acquisition of many of the most desirable areas.

Study and Acquisition.

The State Park Commission is studying with great care areas such as the Bull Creek Flat and Dyerville groves of redwoods, Point Lobos, the historic Calaveras Big Tree Grove, Castle Crags, Mount Diablo, Fremont Peak, and most of the available beach area in southern California. The commission has decided to acquire the Silver Strand Beach south of Coronado; the Borego Valley desert area (including interesting growths of cactus, and canyons in which are found the native Washington palm); the Palomar Mountain, all in San Diego County. The San Jacinto Mountain and Painted Canyon areas in Riverside County have also been approved. Favorable action has been taken on the purchase of extensive beach frontages in Los Angeles and Ventura counties, and beaches in Orange and Santa Barbara counties are being studied carefully.

Redwood Parks Acquired.

Progress has been made along the Redwood Highway, where, in addition to the areas previously acquired, the Del Norte Coast Park has been established in Del Norte County, extending for some ten miles along the Redwood Highway on both sides of the Graves Grove. The Patrick's Point area, which is a close rival to Point Lobos and which is situated a short distance north of Eureka, has also been acquired; and options have been obtained on portions of the picturesque lagoon region extending for ten miles north of Patrick's Point along the coast and including some of the

finest beaches in northern California. An area on the slopes of Mount Tamalpais has been condemned and added to the Steep Ravine area generously donated to the State by the late William Kent. This is now being enlarged.

Care in Expenditures.

The commission is using extraordinary care in every step that it takes in its endeavor to secure the best possible results for the State in the expenditure of park bond money. According to the act providing for the State park bond issue, every dollar spent by the State must be matched by a dollar from other sources. This naturally has a tendency to render progress in securing new park areas appear somewhat slow, but on the whole the situation is most encouraging.

DIVISION OF PETROLEUM AND GAS.

Duties.

The work of this division in the past has been largely of such a nature as to guard against damage to the underground oil-bearing sands by the infiltration of water, and to gather, maintain and preserve records and matters of general interest concerning the oil and gas resources of California. The work is of a highly technical nature and requires men specially trained and equipped to successfully discharge the duties and obligations of this service.

Natural Gas.

The welfare of the large and extremely important oil and gas industry of the State is dependent upon the manner in which the division functions, particularly in view of the growing importance of natural gas. The value of this commodity in relation to crude oil exploitation has been recognized for a considerable time by those engaged in the business of producing oil. Domestic service and general industry have also been attracted to this important source of heat and power, it being recognized as the best fuel known to mankind and subject to a wide variety of uses.

Oil and Gas Production Problems.

California, along with other important oil producing states, is burdened at the present time by excessive oil production, far exceeding the present market requirements. To correct this condition the oil industry has endeavored, through proration agreements, to bring production and markets into balance. Along with this excessive oil production program is to be found the regrettable wastage of natural gas. This situation has had the attention of the Department of Natural Resources during the past two years.

Legislation.

The Legislature of 1929, through the enactment of chapter 535 of the Statutes of 1929, amended "An act to protect the natural resources of petroleum and gas from waste and destruction," and provided for enforcing the same, first adopted as chapter 718 of the Statutes of 1915. Under the emergency provisions of the constitution, the act provided that the amendments should go into effect immediately upon being signed by the Governor, and it was so signed on May 28, 1929.

Progress Made in Eliminating Waste.

Following this the Director of the Department of Natural Resources and the State Oil and Gas Supervisor addressed all operators of oil and gas wells in the State of California, advising them that the act had been signed and expressing the hope that their cooperation would continue to be given as theretofore in eliminating all unnecessary waste of natural gas. This was followed under date of August 21, 1929, with a notice from the department advising the operators that it was its duty to apply to the courts for an injunction against the blowing of natural gas into the air whenever such a situation is found to exist without a showing of necessity.

Court Actions.

As the quantity of gas blown into the air continued, complaints were filed in the superior courts of several counties. These actions, involving several questions, including the constitutionality of the Gas Act, finally reached the District Court of Appeal and State Supreme Court, where they were decided in favor of the State. As a result of these decisions, the State's gas conservation program in the oil fields of California will be considerably advanced. Thoughtful attention should continue to be given to this important piece of work, to the end that such enormous waste under any guise may no longer be permitted in this State.

Necessity of Conservation.

Our mineral resources are fixed as to their quantity; therefore to dissipate or impose unnecessary drafts upon them will simply result in penalizing general industry and our people in the future, whereas an appreciation of the value of our prodigious good fortune in the nature of abundant natural resources properly conserved will assure orderly progress in the development of the State.

Proposed Legislation.

Experience acquired in the past two years in carrying out the intention of the Legislature to provide remedies to correct conditions existing in the oil and gas industry detrimental to the present and future welfare of the State suggests that you give your attention to such changes in the present law as will be submitted to you, in order to assure the early carrying to a successful conclusion the State's oil and gas conservation program.

DEPARTMENT OF PENOLOGY.

DIRECTOR, JAMES A. JOHNSTON.

In my inaugural address four years ago and in my message to the Legislature two years ago, I emphasized the importance of careful study and intelligent consideration of the crime problem. I recommended the coordination of the agencies of criminal investigation, identification, apprehension, prevention and reformation, in an effort to minimize and reduce crime in California. Following these recommendations, legislation was passed creating the Department of Penology.

Divisions of Department.

The important work of this department is the coordination of effort of the several divisions comprising the department for the prevention, or reduction, of crime. Like all other departments represented in the Governor's Council, it is responsible for correlating the activities of the divisions within the department including:

1. Prisons and Paroles, administered by the State Board of Prison Directors, with the chairman of said board as chief of the division.
2. Criminal Identification and Investigation, administered by the superintendent of the bureau as chief of the division.
3. Pardons and Commutations, administered by the chairman of the Advisory Pardon Board as chief of the division.
4. Narcotics Division, responsible for enforcement of laws relating to narcotics, with the head of that department as chief of the division.
5. Division of Women's Institutions, as provided for in chapter 248, establishing an institution for women offenders, to be administered by a board of trustees.
6. Division of Criminology, administered by the chairman of the California Crime Commission.

PRISONS AND PAROLES.

Administration of Our Prisons.

Perhaps no field of human endeavor presents a more difficult problem than the management of prisons and prisoners. Prison directors and prison wardens have placed in their custody and control those who have offended most seriously against the law. The duties confronting them are difficult and their responsibility great. They must control their wards firmly, at the same time humanely, constantly endeavoring to treat them and train them so that they will realize that they can not offend with impunity; employing such facilities and methods as may prevent the first offender from becoming hardened, and weaning all those they can away from crime, so as to prevent repetition of crimes.

Encouraging Prisoners in Self-Improvement.

In the administration of the two prisons, the State prison directors and the wardens have been guided by certain very definite principles. It is their endeavor to discipline those in their charge so that they will respect the law, and train them in such ways that they may leave the prison better than when they entered. Accordingly, particular attention is paid to examining the prisoners when received and following up the examinations with treatments, thus endeavoring to supplant sickness with health, ignorance with education, and indolence with industry.

Population of Our Prisons.

As I prepare this report, the census figures show that 4272 male and 127 female prisoners are in San Quentin, and 2092 male prisoners in Folsom. On the same date, or for the last day of October, 1930, there were 660 prisoners in road camps; 546 of them from San Quentin and 114 from Folsom. These figures tell their own story of what seems to be an ever present problem confronting prison directors and wardens. During the past four years additional housing space has been provided at both prisons, and additional relief will be secured with the completion of cell houses now under construction, together with the building of the new prison for women and the intermediate institution for young offenders.

Parole System a Success.

A policy of caution, firmness and fairness has secured good results in the administration of our parole law, and a high degree of success in handling paroled prisoners. One who desires to be accurate is likely to feel doubtful about the reliability of statistics relating to crime and criminals, particularly those dealing with parole and the after-life of offenders, because there are so many unknown factors. However, there is ample evidence of which we can be certain that the parole system, properly admin-

istered, is one of our very best agencies for turning one-time offenders into right paths. My personal study of the matter convinces me that the system is well administered in this State, and the results secured are very satisfactory. The examination of the figures relating to parole and violations of the same show that 80 per cent of those paroled make good, while approximately 20 per cent fail and violate the terms of their parole either by disobedience of rules laid down for their guidance or, to a smaller degree, by the commission of new crimes. The most encouraging aspect of the matter is the comparatively small number again resorting to crime. At this time there are 2339 prisoners on parole, which is about 24 per cent of the total under commitment from the courts.

EMPLOYMENT OF PRISONERS.

Within the Prison.

To keep prisoners busily employed while serving their terms is a difficult problem for the managers of prisons. This is particularly true when prisons are overcrowded. Nevertheless it is one of the most important duties and responsibilities which prison authorities must study and solve. At San Quentin Prison the chief industry, considered from the standpoint of employing many men and absorbing raw labor readily, is the jute mill. Considered from the standpoint of providing not only work but trade training, the most important industries are those operated under the State-use plan, including factories for the manufacture of furniture, tinware, clothing and flags. As a preparation for release, the road camps rank high, because a prerequisite to such assignment requires satisfactory conduct and industry in the prison employment, hard work and useful occupation, the getting of liberty gradually, the reduction of sentence by time-off credits, and the possibility of earning a small sum of money. At San Quentin there is reasonable opportunity for the employment of all able-bodied prisoners, either in the maintenance and upkeep, the jute mill, the State-use plan factories, and the road camps. At Folsom farming operations on a rather large scale with diversified crops has been a great aid in providing work and in supplying farm products and garden truck for the institution. The other forms of employment at Folsom are the quarry and rock crusher, institutional upkeep, and road camps.

Convict Road Camps.

The assignment of prisoners to the building of roads has been beneficial in many respects. The law under which the highway commissioners and the prison directors cooperate in the building of roads in more or less remote sections of the State by use of prison labor has been in effect since 1915. The results have been very good. Great care has been exercised in selecting prisoners for assignment to road camps. The possibility of this sort of assignment has aided discipline in the prisons, acting as an incentive to the prisoners to show themselves worthy of the trust involved in their selection for such work. It has relieved overcrowding in the prisons. It has enabled the State to build roads in some sections where otherwise the road building might be long deferred; but the greatest benefit is the results from the reformation and rehabilitation of the men who pass successfully this sort of training and testing. At the end of 1926 there were 173 prisoners in road camps. In December, 1928, there were 586 engaged in such work. At the present time, as shown above, a total of 660 are working out of eight road camps.

BUREAU OF CRIMINAL IDENTIFICATION.

Special Investigators.

Following the recommendations of the Crime Commission, the Legislature enlarged the field and added to the duties of the Bureau of Criminal Identification and Investigation by providing for a statistical section, requiring regular reports from and to peace officers in solving major crime problems and apprehending offenders. The special investigators authorized were selected with very great care and the results secured have fully justified their employment. Many local peace officers, sheriffs and district attorneys have presented their puzzling problems to the State bureau, requesting the assistance of investigators; and, under the direction of the superintendent of the bureau, the three special investigators have been extremely active on assignments. They have had cases of various kinds in ten different counties of the State.

Growth of the Bureau.

I have referred above to the additional sections added to the Bureau of Criminal Identification and Investigation in recognition of the fact that prevention of crime is closely related to the deterrent effect resulting from the early apprehension of the criminal and his punishment. This bureau operates as an aid to local peace officers. Its work has been efficiently organized under sections that secure identification through the reading of fingerprints, comparing handwriting and study of *modus operandi*. The work of the fingerprint section has grown amazingly. The installation of fingerprint departments by local peace officers, the development of departments already in existence, the growth over the years in the use of fingerprints have brought the total of prints on file in the State bureau up to 132,178 for the last fiscal year ending June 30, 1930. The *modus operandi* section studies the methods employed in the commission of offenses. Illustrative of the way in which habit takes hold of people, the criminal

investigators find that criminals try certain methods repeatedly, and by studying the methods employed in particular crimes they are often able to determine who committed the crime. The handwriting section of the division has been responsible for the identification of many forgers and check passers, identifying them by their writing regardless of the many names they may use. The statistical section of the bureau is securing daily reports of felonies committed from peace officers' daily reports of arrests made and reports regarding stolen and pawned property; and is transmitting information by bulletins to all peace officers and making studies of records relating to parole violations of habitual offenders.

PARDONS AND COMMUTATIONS.

Origin and Purpose of the Board.

In establishing the Advisory Pardon Board, the original legislation of 1915 provided for the members to be the Lieutenant Governor as chairman, the Attorney General, and the wardens of the two State prisons—San Quentin and Folsom. In creating the Department of Penology, the director was made a member of the board. The purpose of the board has not changed but remains as originally intended, to investigate for the Governor such cases as may be submitted by him to the board. The board has no power to initiate action and no power to act independently. It is merely advisory, acting on the cases submitted by the Governor, securing information and making investigations in such cases, and then making its report to the Governor.

Cases Considered.

Although a great many applications for pardon or commutation have been received by me, I have referred to the Advisory Pardon Board only those cases in which the correspondence and reports and petitions were voluminous; in which the nature of the cases seemed especially needful of investigation; or in which I thought it would be of value to receive the advice of the board. Because we have wise and liberal parole laws in this State, I have felt that, except under extraordinary circumstances, parole should precede pardon or commutation. However, when a prisoner has been on parole, served his term creditably, received a final discharge and returned to an orderly and law-abiding way of living, I have felt he was more entitled to consideration for executive clemency than one who had not been tested on parole, and who sought to be released from the prison by executive action.

NARCOTIC DIVISION.

Prior to 1929 the duty of enforcing the narcotic poison laws devolved upon the Board of Pharmacy. New legislation relating to narcotics and narcotic users, affecting druggists as well as users, made it advisable to handle this work on a new plan. In the hope of stamping out, or at least minimizing the traffic in narcotics, the Division of Narcotic Enforcement was organized and made a part of the Department of Penology.

New Laws Relating to Narcotics.

Several measures relating to narcotics were adopted at the last session of the Legislature:

1. Bringing habitual users of narcotics within the purview of the vagrancy law, giving the judges of the police courts power to incarcerate for terms up to six months.
2. Strengthening the poison law by including veronal in the list of drugs that can not be sold except upon prescription of physicians.
3. Requiring physicians, who administer narcotic drugs, to make record of same and preserve the record for two years, making the same available for inspection by the Division of Narcotic Enforcement.
4. Providing that any addict, charged with a felony at the time of commitment to a State narcotic hospital, shall after the period of commitment, or upon discharge, be returned to court to answer for the felony, with further provision that any inmate of a State narcotic hospital who escapes therefrom is guilty of a felony.

Features of the Narcotic Problem.

The State is primarily concerned in what may be defined as the three major phases of narcotic problems: First, the apprehension of the criminal peddler of narcotics, who causes so much social danger by his illicit traffic; second, the cure and rehabilitation of such narcotic addicts as may be considered diseased victims, as distinguished from criminal peddlers; third, the prevention of the spread and increase of narcotic addiction. Nearly all persons who have studied the question consider the last named phase the most important, but all persons who have come to grips with this question, and who have had practical experience, know that little can be accomplished with the third phase unless the first and second are handled vigorously and intelligently.

Cooperation With Local Peace Officers.

The Narcotic Division does not pretend to succeed to the duties and responsibilities of the peace officers of the State. They have the duty and responsibility

of suppressing drug addiction and apprehending the peddler in his nefarious traffic. Neither the chief of the division nor his inspectors consider themselves in competition with the peace officers in the work of apprehending violators of the narcotic laws. However, it is the aim and the purpose of the Narcotic Division to cooperate in every way possible with the local peace officers, federal authorities, and all agencies dealing with this problem. It is its province to assist, rather than to supplant, such officers in their duties. The relationship between the division and other agencies is one of cordial cooperation, and all have shown commendable energy in dealing with this terrible evil.

Operation of Narcotic Division.

This division has cooperated to the fullest extent with other officers—federal, State, and local. It has found the necessity, however, of maintaining its own force of inspectors, attorneys, and chemists, who have been actively engaged in the work of apprehension and prosecution.

Possibilities of Rehabilitation.

At one time it was thought there was a substantial number of drug addicts who desired to be relieved of the addiction. It was felt that they would avail themselves of opportunity to be cured and that they would volunteer for admission to an institution providing treatment. The State of California has made a real effort to lessen the amount of addiction by providing a narcotic hospital under the Department of Institutions. The superintendent and staff are expert, the facilities are excellent, the treatment humane and considerate. It was thought, and it is now thought, that results achieved would be worth the cost of the attempt to cure unfortunate victims of drug addiction before they drifted to degradation and resorted to crime. However, the experience of the division has indicated that the number of drug addicts who will cooperate in an effort to be relieved of their addiction, and who will volunteer for treatment in a hospital, is not very large. The truth is that most of those who appear to volunteer do not do so until there is imminent possibility of prosecution under the penal provision of the anti-narcotic laws.

DIVISION OF WOMEN'S INSTITUTION.

Institution for Women Offenders.

The California Institution for Women was established by the provisions of chapter 248 of the Statutes of 1929. The purpose was to provide custody, care, protection, industrial and vocational training, and reformatory help for women misdemeanants and women convicted of felonies. The law provides for committing women offenders direct from the court to this institution, also setting up an arrangement under which any woman of 18 years of age, or over, confined in any prison in the State may be transferred, under certain conditions, to the new institution.

Site for Institution Selected.

The act creating the institution provided for a board of trustees to select and purchase a site with all appurtenances for said institution. Acting under authority vested by statute, the trustees examined many sites in various sections of the State. They selected as a site for the institution property consisting of 1682 acres near Tehachapi, Kern County. They had preliminary architectural sketches made, and, after submitting these sketches to various persons familiar with the needs of such an institution and receiving suggestions, they have taken possession of the property and the State Architect is now at work on plans.

Organization for Institution.

The management and control of the institution will be under a board of five members. In organizing this board, I named three women and two men as a board of trustees. They have the duty under the law of supervising the institution, and they are also charged with the duty of determining the question of parole of women confined in the institution for misdemeanors; but, in accordance with provisions of the State constitution, the parole of any woman confined in the institution for a felony is under the jurisdiction of the State Board of Prison Directors.

DIVISION OF CRIMINOLOGY.

Work of Crime Commission.

During the 1927 legislative session many measures were adopted for the purpose of speeding up criminal procedure. A crime commission was also authorized to make a study of causes of crime and to suggest methods toward its prevention and cure. The report of the California Crime Commission submitted in 1929 was extremely interesting and important. Many of the recommendations made by the crime commission were adopted, and the commission was continued as a permanent division of the Department of Penology in order to have a continuous study of this serious problem. During the intervening time the commission has had many meetings and conferences with the officers of the law who daily deal with crime, and with the welfare agencies endeavoring to prevent crime. The commission has advised me that they think it most important now to study the effect of the many new laws we have passed in recent years, and to secure cooperation of the various

agencies having to deal with them. In other words, they believe it more important to work for perfection of procedure and coordination of effort under present laws than to ask for the passage of many additional laws.

DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS.

DIRECTOR, JAMES F. COLLINS.

Following generally the suggestion offered in the first biennial message to the Legislature of 1929, there was created the new Department of Professional and Vocational Standards. The law creating this department of the State government provided for the grouping under one executive head, as the Director of the Department, the fourteen examining boards and a bureau for the registration and licensing of contractors. Hereby was created a businesslike arrangement for the direct supervision of the affairs of all of the professional and vocational licensing boards in the State government.

Functions of Licensing Boards.

The powers of each board, as created by the particular legislation affecting that board, have all been preserved as to the setting of standards and the maintaining of such standards through proper investigation and examination. The business organization of the board is placed under the supervision of the director of the department, who is made accountable to the Governor for the general supervision of the activities of all boards. He is given the right of investigation and access to the records of the boards, except that he is not permitted to review the acts of any board in so far as they affect the setting of standards and the giving of examinations. For purposes of economy and efficiency the director of the department may alter the organization of the boards in the administration of finance and business activities.

Coordination of Board Activities.

Through bringing together the general activities of all boards, a considerable degree of cooperation has developed that heretofore did not exist between the officers and representatives of the various boards. The department office has, in effect, become the clearing house for the financial and administrative problems of the boards. The board members have in the person of the director a direct representative in the executive branch of the State government. This is reflected in the monthly reports rendered by the director to the Governor's Council, and a closer contact is afforded with the Chief Executive through the director than would be possible otherwise.

PURPOSE OF STANDARDS.

Standards Important to Public Protection.

A review of the history of the activities of the examining and licensing boards affecting the professions and vocations under the supervision of the Department of Professional and Vocational Standards indicates very definitely that without the constant vigilance of such boards and their representatives the public at large would be very seriously menaced by a great number of irresponsible and unscrupulous practitioners, who are and would be a menace to the public health and safety. The records of many cases are available, emphasizing this situation very positively. California ranks high in the standards maintained by these boards under existing laws. It is essential that this rank be continued and gradually advanced, inasmuch as this State attracts not only the finest element of population from other states, but likewise draws undesirable elements, who would prey upon the public through false claims as professional practitioners if they were not stopped through the power granted the examining and licensing boards of the State.

Boards Created by Initiative Not Affected.

The Board of Chiropractic Examiners and the Board of Osteopathic Examiners were created by initiative legislation and are placed under the general supervision of the director of the department only through executive order. Consequently their status is not changed as to their powers and functions. While these boards can not be supervised to the extent the other boards are, there has been very helpful and harmonious cooperation carried out through the office of the department between the board officers and the director. Much beneficial exchange of ideas and information has been made possible through the existence of the department office acting as a clearing house.

New Laws—Civil Engineers' Registration.

The Legislature of 1929 enacted a law requiring the registration of civil engineers in California, and created the Board of Registration for Civil Engineers. This board was, by the act creating the department, placed under the direct supervision of the director.

Contractors' Registration.

The 1929 Legislature also enacted a law providing for the registration and licensing of all contractors, and by the provision of the law designated the director of the department as the Registrar of Contractors, charging him with the responsibility of organizing the registrar's office and carrying out the provisions of the act.

DEPARTMENTAL DIVISION NUMBER ONE.

Boards Represented.

The law creating the department provided that there should be at least two divisions in the department. Division No. 1 was fixed by law as being made up of the State Board of Medical Examiners, State Board of Dental Examiners, and the State Board of Pharmacy.

Board of Medical Examiners.

This board has continued to carry on its very constructive policies in the administration of the laws governing the practice of medicine and surgery. The high standards established since the law creating the board became effective have been maintained and advances made. The board has continued to work harmoniously with all institutions of the State that maintain departments for training men and women for the medical profession. Reciprocal relations with other states have been recognized and are operating satisfactorily. Strict adherence to the standards of the California board is required.

Enforcement. A long calendar list of trials before the board for various violations of the medical practice laws is shown in the records for this board, and there are pending a number of important cases. The protection of the people is assured through the prosecution of violators of the law through the rules and regulations of the board and the laws of the State. Greater interest in the problems presented by the violators of the laws governing the practice of the healing arts is being shown by the general public and by the law enforcement agencies of the political subdivisions of the State.

Fees. The fees charged for the renewing of licenses and for the examining of applicants are as low as is practical if a high standard of inspection and investigation work and enforcement of the law is to be maintained. The 50 per cent reduction in the annual renewal fee made in recent years has probably brought the fee to its lowest practical point. The department accounting section is handling the financial transactions of this board.

Board of Dental Examiners.

This board is one of the long-established examining boards and is functioning with a high degree of efficiency, maintaining standards that are as high as those of other leading states. That which is stated in reference to the activities of the Medical Board is also true of the Dental Board.

Fees. Since the organization of the department a careful analysis of the finances and budget requirements of this board has shown that an increase in the annual registration fee is necessary in order that the board may function properly and be enabled to carry out the provisions of the law through investigations and prosecutions of violators. The secretary's office, due to reorganization of the board, is now located in Los Angeles. All financial matters and much of the routine office work are handled through the departmental headquarters in Sacramento.

Board of Pharmacy.

The detail work of accounting has been transferred from the pharmacy board office in San Francisco to the departmental office in Sacramento. A very harmonious and cooperative attitude has been shown by this board in assisting in carrying out the intent of the law creating the department. The board has observed a consistent program of strict investigation and prosecution of violations of the laws affecting the practice of pharmacy and the sale of drugs in California. The fine record of this board in supervising the laws affecting pharmacy is one that is a credit to California and is being watched by other states having similar legislation.

DEPARTMENTAL DIVISION NUMBER TWO.

Boards Represented.

As the second division in the department provided for in the legislation, there are included the State Board of Optometry; State Board of Embalmers and Funeral Directors; State Board of Cosmetology; State Board of Barber Examiners; State Board of Veterinary Medical Examiners; Board of Architecture (Northern District) and Board of Architecture (Southern District); and the State Board of Accountancy. The law also provides, however, that new divisions for the purposes of administration may be created by the director with the approval of the Governor. Due to the similarity of interests, a third division has been created, grouping therein the two Boards of Architecture (Northern and Southern Districts), the Board of Registration for Civil Engineers, the Board of Accountancy and the Bureau for the Registration of Contractors.

State Board of Optometry.

This board continues to function in the maintaining of high standards in the practice of optometry, and the rank of this profession in California is outstanding among the states. Rigid adherence to the California standards is demanded for applicants for admission to practice in California under reciprocal agreements. Much of the office detail and accounting work of this board is consolidated in the central office of the department at Sacramento.

Board of Embalmers and Funeral Directors.

The last Legislature amended the law governing the licensing of embalmers so as to provide for the registration and licensing of both embalmers and funeral directors, and setting fees for such licenses. The board has carried out the provisions of the new sections of the law, and is functioning with credit to the business and as a protection to the public. A high standard is set by the board for embalmers and funeral directors in California, and all applicants for licenses are required to file their credentials showing both education and training. Within the limits of the finances of the board, strict attention is given to the investigation and prosecution of violators of the law.

Board of Cosmetology.

This board has been functioning under the new law passed by the 1927 Legislature. The number of licenses issued has increased from something over 10,000 licenses under the "blanketing" clause, to over 18,000 following the last examination. The board is now engaged in the establishment of definite standards which must be met by the schools for the training of students, and for the maintenance of the shops and service to the public after licenses are issued.

Amendments to Law. A number of minor amendments should be made to this law to clarify some sections. It is particularly important that in order that the most economical use of money may be had, the members of the board may be designated as committees for the purpose of correcting examination papers, and may draw per diems therefor without the necessity of maintaining the entire board in official session as is now required under the law. The office detail of this board is being absorbed by the departmental office at Sacramento, all accounting now being handled in the Sacramento office. Other economies are possible in the administration of the business of this board, making available the maximum sum for investigation, inspection and prosecution of violations of the law.

Expanded Budget Necessary. While a rather large surplus is in existence in the funds of the board, a reduction of fees should not be made until an expanded program of inspection and law enforcement has been studied and tested out. For the protection of both the general public and those wishing to enter the practice of cosmetology, rigid standards for teachers as well as for schools and shops must be established and maintained by this board.

Board of Barber Examiners.

This board is one of the more recently created boards and is functioning with a very high degree of efficiency in the supervision of over 18,000 barbers in California. A very excellent system of inspections and reports has been developed in the board office, and a consistent program of inspection and prosecution of violators is carried out under the supervision of the executive secretary and the other two members of the board. High standards of practices, as well as of schools, are insisted upon by this board. A very marked improvement may be noted in the sanitation of the shops of the State since the law creating this board went into effect. Much of the office detail and accounting work is centralized in the departmental office at Sacramento.

Board of Veterinary Medical Examiners.

This board is carrying out the provisions of the law and maintaining high standards for the practice of this profession. All applicants before examination are required to show prequalification in accredited schools approved by the board. Within the limit of the funds available from the small fee paid for annual registration, this board is carrying on investigations and law enforcement activities. Considerable service is rendered the board at minimum cost through coordinated activities and organization within the department both in Sacramento and in the field.

DEPARTMENTAL DIVISION NUMBER THREE.

Groups Represented.

Under authority of the law, the Director of the Department of Professional and Vocational Standards, with the approval of the Governor, has created Division No. 3 of this department and placed therein the Board of Accountancy, the two Boards of Architecture (Northern District and Southern District), the Board of Registration for Civil Engineers, and the Bureau of Contractors Registration.

Board of Accountancy.

This board is one that has been in operation for a number of years. It has very definite and high standards governing the practice of the profession. It is associated with other boards representing similar laws and a similar standing in the other states, and the standards of the California board are recognized as being equal to those of any other state.

Boards of Architecture.

The law governing the practice of architecture in California provides for the administration of its provisions by two boards: One, known as the California State Board of Architectural Examiners, Northern District, with headquarters in San

San Francisco; and the second, as the similar board for the Southern District, with headquarters in Los Angeles. Both boards function as separate organizations, but harmonize their work by frequent joint meetings of officers and board members. Amendments to the law at the 1929 Legislature have greatly advanced the work of these two boards in the maintaining of high standards of practice in California. The law by these amendments has been made much more effective, and considerable progress has been made by the boards in eliminating unqualified people from the practice of the profession. Much of the office detail and accounting work of these boards is now concentrated in the central office at Sacramento.

Board of Registration for Civil Engineers.

This board was created by the act of the Legislature of 1929. Since the appointment of this board it has been engaged in the examination of applications for registration and licenses in accordance with the so-called "blanketing" clause of the law, which permits the registration of all qualified civil engineers making application prior to July 1, 1930. Nearly twice as many applications have been received as were anticipated when this law was passed. Since all applications must be passed upon by the three members of the board, a considerable delay has resulted in the completion of the work. It is anticipated that there will be approximately 6000 registered civil engineers in California accepted by the board. The law provides that this board will hold examinations for registration of civil engineers applying subsequent to the July 1, 1930, limit of the blanketing provision.

Organization of the Board. The Board has organized itself thoroughly and has adopted very complete rules and regulations for procedure. The office detail and accounting of this board is handled in the central office of the department at Sacramento. The funds of the board show a rather large surplus at this time, but no reduction of the annual registration fee should be contemplated until the active program of field investigation and law enforcement has been thoroughly tried, in order that the amount of funds necessary for administering the law may be determined.

A NEW DEPARTMENTAL ACTIVITY.

Office of Registrar of Contractors.

The law providing for the licensing of contractors in California designated the Director of the Department of Professional and Vocational Standards as the registrar, and charged him with the responsibility of setting up the organization and administration of the provisions of the law. This act was passed at the 1929 Legislature and became effective August 14, 1929. On July 1, 1930, at the end of the first fiscal year over 21,000 contractors had been registered and licenses issued. The complaint section of this office has handled an average of three formal complaints each working day since its organization. A large number of informal complaints and office discussions have been held that have prevented the filing of formal complaints. Through the work of this section a large sum of money has been saved to small home owners and people who could not afford to suffer loss. A high and consistent standard of construction work is assured under this law. Under the law the registrar is authorized to suspend or cancel licenses upon evidence supporting the complaints filed under the provisions set forth in the act. A penalty of fine and imprisonment is provided for violation of the law for those who act as contractors without license. In addition to the number of licenses issued, the office records show that nearly 30,000 office contacts were made in the educational program since this law went into effect. This indicates widespread interest in the work of this office. A force of investigators is maintained in the various parts of the State. The central office is located in the department office in Sacramento; a branch office is maintained in San Francisco, and a branch office in Los Angeles.

Amendments. Amendments to this law at the next Legislature should provide for the administration of the finances through a revolving fund to simplify the office administration. The first section of the act should specify that one who proposes to act as a contractor or who proposes to engage in the business of contracting should require a license, so that those who offer bids on construction work may be definitely brought under the law. A definite provision should also be made to retain any surplus funds in the contractors' reserve fund. The exemption clause which provides that contractors taking contracts in a sum less than \$200 do not need licenses should be eliminated, and the determination of work that is "casual and inconsequential" should be left to the discretion of the registrar.

Fees. For the proper administration of this law and in order that the supervision of the entire State be intensified, a fee of \$10 instead of \$5 for annual registration should be provided.

DEPARTMENT OF PUBLIC HEALTH.

DIRECTOR, DR. WALTER M. DICKIE.

The State Board of Public Health of California has been operating continuously in this State for a half century. Beginning as an organization without funds and without authority, it has grown, under the present administration of State government, into a full-fledged department which is receiving such complete support as enables it to enforce the necessary laws for safeguarding the public health in Cali-

fornia. The reorganization of the State Board of Health into the State Department of Public Health in 1927 has brought added efficiency, growth and expansion; it has, in fact, introduced a new era in the public health supervision of this State.

SERIOUS AND UNUSUAL DISEASES.

Communicable Disease Control.

Together with the tremendous natural growth of population in California, there has come an unprecedented migration to this State. The migration factor alone has added many intricate and complex problems in the control of communicable diseases. This applies not only to migration from other states, but also to migration from foreign countries, chiefly Asiatic countries, where many severe and highly fatal communicable diseases are rampant. California faces, continually, acute problems in the prevention of plague, imported epidemic meningitis, virulent smallpox and other infectious diseases, which have, during the past two years, been imported into this State from foreign countries.

Precaution Necessary.

To be prepared against the invasions of these devastating diseases is of the utmost necessity, for the threat of many acute infections, uncommon to us but common in Asiatic countries, hangs over us continually. Through the maintenance of our present State public health organization we are able to offer resistance and provide safeguards against these menaces to our community health.

Epidemic Meningitis.

The year 1929 brought the largest number of cases of this disease that has ever occurred during any one year in our history. The situation in California was particularly complicated because of the direct importation of a large number of cases in Filipinos. The situation in June of that year became so serious that the President of the United States issued an official embargo, restricting the migration of certain individuals from oriental ports. The State Department of Public Health was active in applying control measures in this emergency, and played no small part in bringing the outbreak under control.

Plague.

This disease, which has been alternately sleeping and waking in California during the past 30 years, has lain dormant during the last biennial period. Only two human cases have occurred during the past two years, but the State Department of Public Health is working continually in the control of infection among rodents, chiefly ground squirrels, in order that the people of California may be protected against a flare-up of this highly fatal disease. Crews of men have been kept in the rural districts at all times for the purpose of gathering and examining ground squirrels for the presence of plague. Wherever infected rodents have been discovered, intensive campaigns of extermination have been carried on. The cooperation of many counties and cities has been secured in carrying on this work. In order to protect the State against the plague menace, rodent control work must be carried on at all future times, until no more infected rodents may be found.

Unusual Diseases.

The highly trained staff of the State Department of Public Health has been able to accomplish considerable work during the past two years in the control of several of the unusual but highly fatal and disastrous communicable diseases. The general public has little information relative to these diseases because of their unusual occurrence. They are highly important, however, and require careful attention in order that they may be kept within bounds. This applies particularly to diseases such as coccidioid granuloma, botulism, Rocky Mountain spotted fever, psittacosis, trichinosis, typhus fever, tularemia and other diseases.

IMPORTANT REDUCTIONS IN DEATH RATE.

Typhoid Fever.

The accomplishments of California in the control of typhoid fever are most outstanding. The typhoid fever mortality rate for 1929 was the lowest in the history of the State (only 1.7 persons out of every 100,000 of the population having died of this disease). There were but 95 such deaths within the State. During the past four years the death rate from this disease has been reduced 25 per cent. In 1906, 32 Californians out of every 100,000 in the population died of typhoid. Had the 1906 death rate prevailed in 1929, there would have been nearly 1800 deaths from typhoid fever instead of the 95 which actually occurred. The credit for this remarkable record is due to the provision of pure water supplies, the improvement in general sanitary conditions and the immunization of individuals against the disease. The achievement is the more remarkable because California is obliged to draw largely from surface streams for its public water supplies.

Tuberculosis.

The tuberculosis death rate has fallen from 127.7 per 100,000 population in 1925 to 106.3 in 1929. This is a reduction of almost 17 per cent. In 1906 the death

rate for this disease was 235.7 per 100,000 population. The drop from this high rate to 106.8 per 100,000 in 1929 indicates the progress that has been made in tuberculosis control in California. The Bureau of Tuberculosis of the State Department of Public Health has been active in raising the standards of care in county hospitals by means of the State subsidy to approved institutions, such funds being appropriated from the State treasury and allocated to the counties for expenditure.

Imported Tuberculosis.

The problems related to the migration of tuberculosis cases in advanced stages to California, particularly to southern California, are very acute. This applies not only to migration from other states, but also to migration from Mexico. In 1928, 453 individuals who had lived in California less than a year died of tuberculosis, and 894 such deaths during that year occurred in individuals who had lived in California for periods varying from one to four years. About 20 per cent of all tuberculosis deaths in California are among Mexicans. Some of the counties of southern California are required to spend many thousands of dollars in the care and treatment of these foreign-born residents. If more satisfactory accomplishments in shutting off the tide of this immigration were made available, considerable might be accomplished in reducing the tuberculosis mortality rate of this State. It is doubtful if any other state in the Union makes such excellent efforts in the care and treatment of its indigent patients. This alone is an enormous factor in reducing the mortality rate. Continuation of this program will continue to lower the death rate of this disease still further.

CHILD WELFARE.

Crippled Children.

The State Department of Public Health began working in the interest of crippled children in October of 1928, the Legislature of 1927 having made provision for the treatment of physically handicapped individuals who are under 18 years of age. The department became empowered to make surveys and conduct clinics for the purpose of finding crippled children who might lack medical attention for the relief of their physical disabilities. Under this law parents of such children, upon certification by the judge of the superior court of the county within which they reside may secure, through the intercession of the State Department of Public Health, competent treatment under the direction of the department, but at the ultimate expense of the county within which the patient resides.

Extent of the Work.

Since October of 1928, nearly 200 crippled children have received treatment under the provisions of this act, and the surveys conducted by the department have located no less than 1485 crippled children within the State. These surveys have resulted in the provision of treatment by a wide variety of agencies without resorting to the use of the Crippled Child Act. Since work under this act has been carried on 2095 home visits or investigations of cases have been made in 51 counties of the State. Repeated visits to hospitals for crippled children and to convalescent homes, and a number of special surveys, particularly of paralyzed children, whose paralysis resulted from the widespread epidemic of infantile paralysis in 1927, have been made.

Reduction in Infant Mortality.

The past decade has been called the Golden Age for children. Every possible attribute for the development of child welfare has been brought into play. The result is shown in the reduced infant mortality rate which is regarded, generally, as the most sensitive index to public health conditions that we possess. This rate is established by the number of infant deaths per 1000 live births. The 1929 infant mortality rate for California was 63. The reduction in this rate during the past 10 years from 75 in 1920 to 63 in 1929 indicates the progress that has been made in the conservation of infant lives. Credit for the reduction may be given to the activities of child hygiene workers throughout the State. Under the State Bureau of Child Hygiene children in all parts of California, where adequate facilities are not available, may secure physical examinations for the purpose of discovering defects, and mothers may be given educational advice in the proper care and upbringing of their children. Conferences for well babies, physical examinations for children of preschool age, mothers' classes, lectures, instruction in child care, prenatal advice and other services constitute the bulk of the work of this bureau. There is significance in the fact that, through the reduction in the infant mortality rate, the lives of at least 3000 infants have been saved during the past two years.

Prevention of Maternal Deaths.

The Bureau of Child Hygiene, with its staff of women physicians, provides adequate prenatal advice to prospective mothers, particularly in the rural districts, where such advice is not readily available. Demonstrations are given in the technic of prenatal care, and literature upon allied subjects is distributed. During the past two years many consultations with expectant mothers have been conducted and more than 8200 sets of prenatal letters have been distributed. The bureau also conducts the inspection and licensing of maternity homes and hospitals. This, too, is a factor

in the provision of better care at childbirth. The maternal death rate in California has fallen from 6.7 deaths per 1000 births in 1923 to 5.2 in 1929.

FOODS AND FOOD INSPECTION.

Cannery Inspection.

The California canneries which operate steam retorts for the cooking of vegetable, meat or fish products, are required to obtain licenses from the State Department of Public Health, and all of the products which they pack are placed under inspection, the cooking being under the regulations devised by the Department. There are 150 canneries in California which are so licensed. This service is maintained entirely through funds contributed by the canners themselves, who pay into the State treasury a self-imposed tax which is based upon the number of cans which they purchase. All commercially packed meat, fish or vegetable products from California canneries are given a code number by which the temperature and duration of cooking of every such can may be determined at any time and at any place that the container may be opened. Complete records are available by which these data may be traced through the code numbers on the can. Since the cannery inspection law went into effect in 1925 no outbreaks of food poisoning due to the use of commercially canned California products have occurred anywhere.

Other Inspections.

The Bureau of Foods and Drugs of the State Department of Public Health maintains a continuous inspection of food products and food-dispensing places within the State. Through this service many tons of foods which are unfit for human consumption are destroyed. There is an increasing evidence of a rise in food standards, however, and each year the amount of condemned food products grows less. In addition to this service, all foods which are consumed in the State hospitals and other State institutions are examined and analyzed, in order to make sure that they conform to the high standards of quality and food value which the State requires in foods which are consumed by its wards.

VARIOUS PUBLIC HEALTH SAFEGUARDS.

General Sanitation.

The development of sanitation everywhere throughout the State is conspicuous to even the untrained eye. Groceries, markets, creameries, restaurants, soft drink stands, and many other food dispensing places show particular advances in the provision of sanitary equipment and the use of sanitary methods in the manufacture and dispensing of their products. The sanitary inspection service of the State Department of Public Health has been largely instrumental in the carrying on of campaigns for the development of sanitation in such places. There is no way to measure the results in the prevention of disease that have been obtained through these methods, but the aesthetic values are highly important as well as the commercial aspects.

Water Supplies.

The provision of adequate water supplies for large centers of population becomes more acute as the large cities grow with a speed that is nothing short of miraculous. Public water supplies in California are of the highest purity. Since surface streams are used largely, all public water supplies must be treated in order to make certain of their potability. The State Department of Public Health has stimulated activity among communities which draw their water supplies from surface sources. Not a single epidemic of water-borne typhoid has occurred within California since 1924.

Sewage Disposal.

The rapid growth of population in all the cities of the State also, creates intricate problems in the provisions of proper sewage disposal. The State Department of Public Health provides technical assistance leading to the solution of such problems. It passes upon the design of sewage disposal systems, and, under the law, issues permission for their construction. The advance in the design of both large and small sewage disposal systems is conspicuous, and the State Department of Public Health is responsible in a large degree for the progress that has come in methods of sewage disposal. During the past two years, in addition, the State administration has made provision for research work along this line. This is of the utmost value in providing solutions to many problems which are baffling at the present time. With the development of the State's industries, the proper disposal of industrial wastes becomes increasingly important. The proper disposal of such wastes requires special studies because of their varied composition.

DISEASES WITH INCREASING DEATH RATE.

Mortality in Adults.

The increasing mortality from diseases of the heart and circulatory system, cancer, and other diseases of adult life, occupies the attention of the general public. Twenty-five per cent of all deaths in California are now due to diseases of the heart and circulatory system. The increase in the number of deaths from heart disease during the past ten years has been gradual, but persistent. Eventually man

must, of necessity, die of some condition, and the truth of this statement is borne out by the fact that 60 per cent of all the deaths from heart disease in this State are in persons who are more than 65 years of age at the time of death. This would seem to indicate that direct effort in the prevention of heart disease would be hopeless. Nevertheless, the lives of many individuals who are suffering from this disease might be extended for many years if they were made aware of their physical limitations, and if they would follow sound advice relative to treatment and precautions.

Cancer.

Cancer deaths exceeded tuberculosis deaths in California for the first time in 1928, and the increase of cancer over tuberculosis mortality was even more conspicuous in 1929. The high cancer death rates in California are due, in a measure, to the migration of elderly adults who come here to spend their lives under our favorable climatic conditions. Increased facilities for diagnosis and improvement in methods of making diagnoses are also responsible for bringing many cases of this disease under treatment. There are certain public health aspects of both the cancer problem and of problems related to heart disease which are inescapable, and it is probable that during the future years health departments everywhere will exercise more direct supervision over these diseases which take such a heavy toll among adult lives. Public health in the past (and at the present) has concerned itself chiefly with the application of preventive methods among children and among young adults. It would seem now that in the future its field must of necessity be extended to provide similar service to all people of the State.

DEPARTMENT OF PUBLIC WORKS.

DIRECTOR, B. B. MEEK.

Three policies of outstanding importance have characterized the administration of the Department of Public Works during the four years now coming to a close. These are (1) the boldness with which State highway problems have been attacked, (2) the far-reaching extent to which provision for future expansion has been made in road and institutional building programs of the present, and (3) the effective cooperation that has been secured for California from the federal government upon projects and undertakings in which both State and nation have a mutual interest. Inaugurated during the first two years of the administration, these policies have come to fruition in the present biennial period, and not only have they caught the imagination of our own people, but they have directed the attention of the nation and the eyes of the world to California.

Boldness of Attack.

The boldness with which highway problems have been attacked can be gleaned from the fact that California is now building highways through its high mountain ranges on practically a valley alignment; that the most ambitious program to be found in the United States for building safety into highways is now under way in California; that nowhere in the world are highways being built to higher standards of design and finish than here in this State.

Anticipating Future Needs.

The extent to which future needs have been anticipated in present programs is indicated in the ten-year building program developed for State institutions, and in the study of the water resources of the State, which has been expanded into the greatest investigation of its kind ever undertaken by any State in the Union. In the highway program it is to be seen in the fact that the right of way requirements have been stepped up to a width of 100 feet, and in the formulation of a definite policy for the orderly admission of highways into the State system. It is again to be seen in the development of a plan for financing major bridge revenue bonds, the cost of which would be too great to undertake from ordinary revenues. Without this plan the San Francisco Bay bridge, the construction of which now seems certain, would still remain in the realm of hopes and dreams. This same plan also sounds the death knell of privately owned toll bridges in the California State highway system, and assures the fact that bridges built or purchased under this plan will become free structures as soon as their first cost is repaid.

Federal Cooperation.

The effective cooperation that has been secured for California from the federal government in projects of mutual interest and concern is much more than mere moral support. In the study of the effective conservation and use of the water resources of our State, the United States has joined as a partner with California. Its engineers have participated in the study. The cost of some phases of the study has been paid from federal funds, and, more than this, responsible officials of the government have agreed to the principle, enunciated by the Department of Public Works in official conferences at Washington, that the United States should participate in defraying the cost of carrying this joint plan into execution. Again the same

effective federal cooperation has been secured on the San Francisco Bay bridge project. Such cooperation is essential to the success of the projects.

DIVISION OF HIGHWAYS.

Fundamentals in Highway Building.

It can be safely asserted that no great civilization can be created or maintained where easy means of communication are not provided. Ideas as well as travel flow along the highways of a country. The interchange of these ideas is fully as important as the exchange of the goods that the highways carry. The latter makes possible a civilization replete with material comfort; the former makes possible an ever-expanding civilization of the mind. The effort of government should be to combine these values in one civilization, and to see that the combined values are both equitably distributed and widely apportioned among the masses of the people.

Major Accomplishments.

In California, during the past four years, these ideals have found expression in certain activities connected with the administration of the State highway system which it may be of interest to review briefly:

Resumption of Highway Building.

The free flow of travel depends upon an improved system of highways, reaching every part of California. This is being accomplished through the one-cent gasoline tax for new highway construction adopted in 1927. This tax made possible the resumption of State highway building in California on a scale commensurate with the needs of the State, and with the cost so equitably distributed that it has made possible the largest State highway building program in the history of the State without a burdensome charge upon any taxpayer.

Interstate Connections.

One of the matters to which the Department of Public Works very definitely set itself was the improvement and completion of California's interstate highway connections. Mountain ranges are no longer traffic barriers, because of the high standard of alignment adopted. Failure to complete highways across desert sections and mountain ranges of California had served to impede travel both in and into the State. During the past four years the work of improving the desert entrances of California has proceeded under rush orders. This has been done both that these highways will be in readiness to properly serve travel coming here for the Olympic games, and also that they will be in condition to serve the interstate travel arising from construction activities at Boulder Dam.

Orderly Additions to Highway.

There will be submitted to the Legislature the result of the study of the Department of Public Works and the California Highway Commission on highways recommended for inclusion in the State's secondary road system. The adoption of the report means that California will have for the first time a definite orderly policy controlling the growth of the State highway system.

Grade Crossing Elimination.

During the past two years, 27 grade crossings have been done away with through the construction of overpass and underpass structures and by the relocation of highways. Of the 330 remaining grade crossings on the State highway system, 175 are across main line and important branch line railroads. Of this latter number, 90 are considered dangerous, and should receive first attention in a program of constructing grade separations. The present program contemplates the elimination of grade crossings in the order of their danger to the public. The safety of remaining crossings has been greatly increased by the installation of better warning signals. At the present time no grade crossings are permitted on new highway construction. If this policy is continued, and the present program for the progressive removal of grade crossings is completed, ten years should see the California State highways system completely free from the grade crossing menace.

TOLL BRIDGES.

Toll Bridge Problem Solved.

During the past four years a plan has been set up and approved by the Legislature that will make it impossible for privately owned toll bridges to be fastened onto the State highway system, and has provided a means whereby the State may construct such bridges as can not be financed from ordinary funds, thus greatly reducing the toll charges during the repayment period, and making these bridges free structures when their cost has been repaid.

San Francisco Bay Bridge.

Another great barrier to travel has been the lack of bridge facilities between San Francisco and the continental shores of the San Francisco Bay. To solve this problem, which has faced the people of California for these many years, was a goal to which the Department of Public Works early set itself. In the attainment of this goal, it will be of interest to review some of the definite accomplishments of the past

four years in making possible the realization of this project, dreamed of for years in California, and which in its importance to the northern part of the State ranks with the importance of the Colorado River project to the south. These accomplishments are as follows: First, for the first time a full, complete, careful and unbiased engineering study has been made of the bay bridge project. This study developed engineering, traffic and economic data, which fully justified enthusiastic support for the project and an aggressive demand for early construction of the bridge. Second, the full and favorable cooperation of representatives of the United States War and Navy Departments has been enlisted. Such cooperation is essential to the success of the project. Third, a method of financing the structure from revenues derived from tolls has been perfected and approved by the Legislature. This method assures the fact that the structure will be free to traffic as soon as its cost is repaid. The traffic study further shows that revenue from traffic will be sufficient to repay the cost and maintain the structure.

RELIEF FOR UNEMPLOYMENT.

Employment Relief Program.

Facing a period of critical unemployment, the Department of Public Works immediately recognized the large part that the highway program could play in bettering both business and unemployment conditions in the State. During the early stages of the depression, projects were offered to contractors in larger volume than first scheduled. With each contract signed, a personal letter was sent to the contractor asking him to use labor local to his contract and purchase supplies locally, as far as it was within his power so to do. The contractors of California responded most willingly to this request, and their effective cooperation was a large factor in the outstanding success of this program. As winter approached, the unemployment program was again expanded. Maintenance crews, working out of over 200 communities in California, were enlarged to take care of distress unemployment cases in these communities. The men thus employed were given work on a three-day-a-week basis and were paid at the rate of \$4 a day.

Labor Camps Established.

To assist in relieving unemployment in the large cities, labor camps were established. The men in these camps were paid \$3 a day and board. To assure the employment of bona fide residents of California, and that relief was being given only in cases where distress was acute, employment was made from lists furnished by the State employment agencies in the case of labor camps, and by local relief committees in the case of maintenance crews. The work assigned both to labor camps and maintenance crews is that which lends itself to the use of a maximum of hand labor and a minimum of machinery. The work has been successful both from the standpoint of unit costs and of labor furnished the unemployed. On December 15th, 3500 men were at work in the labor camps and in special maintenance crews. The California Highway Commission appropriated \$1,000,000 to defray the cost of this work for additional unemployment relief.

IMPORTANT HIGHWAY ACHIEVEMENTS.

Typical Immediate Projects.

Reference has already been made to the bold manner in which State highway problems have been attacked, and to the exceptionally high standards of design and safety with which the Department of Public Works is now constructing State highways. A few typical projects furnish convincing evidence of these facts: The narrow, tortuous section of the Victory highway that carried travel through the town of New-castle is being eliminated by a tunnel beneath the town. The relocation of the Ridge Route, connecting northern and southern California, is being built on a new route that will reduce the curvature over the present location by 90 per cent as compared with the curvature on the present route. Not only have tangents been substituted for curves, but the maximum grade on this mountain highway is 6 per cent. The extension of the practice of striping highways, from the six miles so striped when the present administration took charge to the 1800 miles now striped, has enormously increased the traffic carrying capacity of our highways, and avoided the necessity for additional construction, the cost of which would have run far into the millions of dollars.

Settlements of Controversies.

The California Highway Commission and the Department of Public Works fell heir to a number of highway location controversies, some of them of years standing. Every such controversy has been decided and incoming officials will find a clean slate.

Cost of Building and Overhead Reduced.

The cost of highway building has been reduced by offering a large volume of work during a period of low building costs; by scheduling work in different sections of the State to take advantage of the most favorable weather periods; and by the progressive reduction of overhead costs from 5 per cent in January, 1927, to 3 per cent on November 1, 1930. Expressed in terms of money, this reduction in overhead has meant a saving of more than \$1,000,000. It has made possible the construction of a number of important highway projects that otherwise could not have been undertaken.

Ten-Year Building Program.

To ascertain possible future costs of highway construction and reconstruction, the Division of Highways has completed a study of the probable requirements of the State highway system for the next ten years. The study shows the estimated cost to improve the present State highway system to an adequate standard for traffic for the ten-year period to be \$313,565,906. If the new highways now proposed are added, the total will be \$364,536,716. Many roads must receive stage construction and heavy maintenance while the increase in annual revenues accumulates to provide the necessary funds for a permanent type of improvement. The estimate of the total revenue available to the State for highway purposes in this same period (July 1, 1931, to June 30, 1940), is \$422,015,300. This total revenue is for all purposes in connection with State highway construction, reconstruction and maintenance. There will be available for actual construction and reconstruction projects a total of \$320,352,700, as compared with an estimated requirement for these purposes of \$364,536,716. As for maintenance, administration and joint highway district aid, the sum of \$101,622,600 will be available.

FUTURE OF OUR HIGHWAYS.

Financial Set-up Satisfactory.

It would seem that the present financial set-up of our State highway system is so satisfactory that any suggestion of change should be given most deliberate consideration and most careful scrutiny before its adoption. This is particularly true with reference to the amount of taxes levied for State highway purposes. Present revenues are adequate, but not excessive. Accordingly, these funds should neither be increased nor decreased. Judged by early standards of construction, present revenues may appear large. But to care for the tremendous and growing volume of traffic that the highways of today are called upon to serve, standards of construction, maintenance and safety, unthought of a few years ago, are now a necessity.

Allotment of Gasoline Funds.

Possibilities of unnecessary delay in highway building programs, through lack of funds in the State treasury to meet contract requirements, would be avoided if allotments of gasoline tax funds be made from the State treasury to the proper highway funds at bimonthly instead of six months periods.

Danger Points.

The figures developed in the ten-year building program clearly reveal the necessity for most careful safeguarding and husbanding State highway revenues to accomplish the purposes to which they are now devoted. Any serious impairment of the present set-up will completely wreck the State highway program. Danger to the State highway program through impairment of revenues looms chiefly from five sources. These are:

- First. The suggestion that gasoline taxes be diverted to other than highway uses.
- Second. The suggestion that major allotments of present revenues be made to improve and maintain through-travel streets in cities of the State larger than the village class. To undertake this would take at least \$125,000,000, and obviously would completely wreck the State highway program.
- Third. The suggestion that there be a still larger division of highway funds for the elimination of railroad grade crossings on the State system. Reference has been made in previous paragraphs to the status of the grade-crossing situation and the manner in which this problem has been and is being met.
- Fourth. The inclusion in the secondary State highway system of roads not in the recommended list. Such ill-considered inclusions could increase mileage to the point that not only construction funds but maintenance moneys as well would be seriously endangered.

- Fifth. The undue enlargement of joint highway district programs.

The Goal in Sight.

Given assurance of the continuance of present revenues, California in a few years should have a system of highways unexcelled anywhere in the world. This can be accomplished without increasing the present sources of revenue. The people of California should realize that there is no surplus of highway revenue, when traffic and safety needs of the system are considered. And they should not allow the orderly construction of the system to be interfered with, or the proper maintenance of the roads to be jeopardized, by diverting to other uses the revenue that now goes to the State system, however great the temptation may be, or how worthy the particular cause may seem.

DIVISION OF WATER RESOURCES.

State Water Plan.

Water is a factor of vital importance in the building of California into a great world commonwealth. California is a semiarid State. Already the development of certain parts of the State is threatened by a receding water table. To meet this threat the Division of Water Resources has expanded the study of the water resources of California into the most exhaustive investigation of this character ever undertaken

by any state in the Union. The efforts of this division have been directed toward finding and formulating such a State-wide coordinated plan of water resources and water utilization as will assure to California the greatest beneficial use of its water. During the past two years the engineering data and plans have been completed and the investigations extended to include a most thorough inquiry into the economic and legal phases of the various problems connected with the use of the water resources of the State.

Cooperation With Federal and State Boards.

The problem is so far reaching it was felt that the federal government had an immediate interest in its solution. Through conferences with President Hoover, an agreement has been made whereby the federal government is actively assisting in the studies and investigations now under way. The Department of Public Works, through the Division of Water Resources, has cooperated both with the Federal-State Water Resources Commission and the Joint Legislative Water Committee in the study of this problem of such momentous importance to the people of both the State and the nation. The findings of the Federal-State Water Resources Commission will be presented in a separate report on this subject. The conclusions reached by the Joint Legislative Committee will be transmitted directly to the Legislature.

A Place to Begin.

The report of the Division presents the major units of an ultimate plan for utilization of the waters of the State, and an initial plan which consists of a combination of the most economic and advantageous units to meet present requirements in the main areas of the State. The initial plan includes large storage on the upper Sacramento River at Kennett, a canal from the delta area into Contra Costa County, and storage on the San Joaquin River at Friant and canals north and south therefrom which will meet the present water shortages of the southern San Joaquin Valley.

Projects Included in Plan.

In southern California the aqueduct proposed by the Metropolitan Water District to import water from the Colorado River to this area is included, as is the Santa Ana Basin flood control and water conservation project. It has not been possible to include in the initial plan all areas of the State where water shortage exists, but the major deficient sections are reported upon with cost estimates and the principles laid down are capable of extension to other sections as needed.

Effect of Plan.

The effect of this initial unit of the plan would be to improve irrigation conditions in the Sacramento Valley, correct salinity in the delta area, supply water to industrial and agricultural sections of Contra Costa County and to areas in the San Joaquin Valley which will otherwise go back to pasture, and to provide a supply of water from the Colorado River for southern California. It is not proposed to bring new lands under irrigation at this time; hence, the need to transport water from the Sacramento Valley to the San Joaquin Valley can be postponed.

SPECIAL ACTIVITIES OF DIVISION.

Dams—Safeguarding Life and Property.

It is gratifying to record the fact that during the present biennium, notable progress has been attained in securing increased protection for life and property, for the residents of this State, against the failure of dams. This has been secured through the enactment of legislation empowering the State Engineer to supervise all dams in this State over 15 feet in height or storing more than 10 acre-feet of water. Dams with dimensions less than these present practically no element of danger. The activities of the Division of Water Resources are being aggressively directed to an examination and critical review of some 650 existing dams, the approval of plans and specifications for and supervision of construction of 50 dams and the issuance of orders directing that the necessary work be done to make safe existing dams, at which unsatisfactory physical conditions obtain.

Irrigation Districts.

California's agricultural interests are inevitably dependent on irrigation. Fifty-one per cent of all the lands cultivated in California are irrigated. Our irrigated area represents almost 25 per cent of all lands irrigated in the United States. While irrigation activities were at a comparatively low ebb during the present biennium there was much accomplished in the State Engineer's office in advice and assistance given districts regarding their financial set-up and economic operation. The study that has been made in California during the past two years of methods of financing irrigation districts has attracted national attention.

Localized Water Investigations.

Striking evidence of the public confidence reposed in the Division of Water Resources as a competent, reliable and helpful scientific agency for the investigation of water problems will be found not only in the frequent resort to the division by groups of water users to establish their respective rights on particular streams, but

also in the repeated appeals which are made by counties, cities, districts and other public agencies to undertake investigations of water problems which require the peculiar technical and legal background of experience afforded by the work of the division.

Consolidation of Divisions.

By an act of the 1929 Legislature the former departmental divisions of Water Rights and of Engineering and Irrigation were consolidated as the new Division of Water Resources under the direction of the State Engineer. Thus all administrative activities of the State pertaining to water rights, water investigations, flood control, dams, water districts and similar matters were grouped in a single office in accord with the reorganization program designed to reduce the number of offices, eliminate duplication and centralize authority on a given subject. This consolidation has been successful from the outset, both in effecting economies and affording the public much better service.

DIVISION OF MOTOR VEHICLES.

Unification of Traffic Control.

The outstanding development in this division was the creation of the California Highway Patrol which made possible the transfer of control over highway traffic from the various counties into a centralized organization functioning under the State. While the California Highway Patrol has only just come into being, evidence gleaned from hundreds of letters written voluntarily by motorists living in all parts of the State show conclusively that the change already has more than justified itself.

Development of New Policies.

When the change to unified traffic control was made, certain ideals and principles were presented to traffic as fundamental. Briefly, these ideals and principles can be outlined as follows: The primary function of the traffic officer should be to expedite traffic with safety; arrests should be made only as a last resort to accomplish this; the gas station traffic officer and the one who lurks behind a tree, pouncing out to arrest the unwary, must go; the traffic officer should be the friend of the well-meaning motorist, aiding him in distress and making his travel safe and pleasant, but the implacable foe of the intentionally reckless or the drunken driver. In a word, a traffic officer, helpful, dignified, friendly, firm, should be substituted for the traffic "cop." The response of traffic officers to these ideals and principles has been magnificent. To assist the men in attaining these ideals, schools have been conducted where the men have been instructed in the duties of their offices.

Growth of Traffic.

The growth of highway traffic in California can be seen in the following registration figures including passenger automobiles and solid and pneumatic trucks:

Registration December 31, 1926.....	1,600,475
Registration December 31, 1928.....	1,812,807
Registration December 31, 1930 (estimated).....	2,041,690

These figures tally closely with increases noted in traffic-count figures and indicate that in 1940 California may expect a volume of highway traffic approximately double that of today.

DIVISION OF ARCHITECTURE.

Ten-Year Building Program.

The basic policy of the Department of Public Works, that of present planning for future growth, finds no better exemplification than in the ten-year building program developed during the past two years by the Division of Architecture. While such a program of necessity is subject to some measure of change in succeeding bienniums, yet it provides a definite basis for an orderly building program, having regard to both present needs and future requirements of these institutions. This tentative ten-year program has made necessary on the part of the Division of Architecture the preparation of plot plans for 26 different institutions.

Appropriations Based on Cost Estimates.

A change in procedure that is worthy of particular mention is the practice that has been introduced of basing requests for appropriations for State buildings on cost estimates prepared in advance of the appropriation request. This has substituted actual facts for guess work in the initiatory stages of the State's building program, and has made it possible to complete buildings within estimated costs, and without the delays usual in the past and occasioned by the necessity of returning to succeeding Legislatures for additional appropriations.

State Building Program and Employment.

The facts cited in the above paragraphs, together with the general administration policy of advancing building programs to meet business and unemployment conditions, has resulted in a program of construction for the 1929-1931 biennium which is now six months ahead of schedule.

STATE HARBOR COMMISSION.

Although the State Harbor Commission is not organized under the Department of Public Works, nevertheless its activities are of such a nature that they may be appropriately outlined in this place. I am pleased to report that the past two years have been marked by an increased tonnage over the previous biennium. Notwithstanding the fact that the volume of business in most United States ports fell off to a marked extent during the last year, the tonnage of the port of San Francisco was greater for the fiscal biennium ending June 30, 1930, than for the previous two-year period. Cargo passing over the piers from July 1, 1926, to June 30, 1928, amounted to 21,985,937 tons and from July 1, 1928, to June 30, 1930, 22,346,955 tons, an increase of 361,018 tons.

Increased Revenue.

The net operating revenue for the biennial period from July 1, 1928, to June 30, 1930, exceeded that of the previous two years by \$285,502.86, despite the fact that additional expenditures were made for the maintenance of run-down structures and the operation of new facilities. Furthermore, wage increases have been allowed to over 480 harbor employees during the last four years.

Modern Accounting System Installed.

The former inadequate methods of recording the transactions of the harbor have been completely replaced by a modern accounting system, devised and installed with the cooperation of the State Department of Finance. Much of the accounting work is now accomplished by the use of up-to-date tabulating and bookkeeping machines. This new system has made readily available more comprehensive and accurate accounting records and statistical data, so essential to the proper management of any large business.

Improvements Constructed and Under Way.

Expenditures for permanent improvements from July 1, 1928, to June 30, 1930, amounted to \$2,780,912.46 and exceeded those of the previous biennium by \$364,666.58. Major projects covered by these expenditures included the completion of piers 45 and 48, extensions to piers 30 and 32, a connecting wharf between piers 26 and 28, extension to the Islais Grain Terminal, a large new dredger, and two new mud scows. Aside from these improvements, the present biennium has also witnessed the construction of pier 1, the construction of a refrigeration terminal, the illumination of the Ferry Building tower, the installation of numerous first aid stations on the piers, the reconstruction of pier 15, which will be in service early in 1931, and the purchase of a parcel of land at the foot of Clay street to permit of the widening of The Embarcadero at that point.

IMPORTANT IMPROVEMENTS.

Refrigeration Terminal.

In compliance with the growing demands for a ship-side refrigeration terminal for precooled perishable farm products for export, such a plant, modern in every particular, was constructed in the State Products Terminal Building at China Basin, and was placed in operation in May, 1930. Many farmers throughout the State have taken advantage of this facility to dispose of their surplus fruit crops; and, as a result, a steady stream of perishable products has passed through the plant to foreign ports. This facility promises to become an important factor in the development of foreign markets for California fruit. This plant can be doubled in capacity within a very short time and at a relatively small expense.

First Aid Stations.

During the past year first aid stations have been installed on the principal piers along the water-front. Formerly, water-front workers injured on the wharves were compelled to lie on the wind-swept docks, and received inadequate, if any, attention, while awaiting the arrival of an ambulance. The installation of these stations, fully equipped, will result in the saving of lives and the elimination of unnecessary suffering.

Contemplated Improvements.

The revenue and facilities of the port have been more than doubled during the last fifteen years, and there are many indications that there will be an even greater increase in business, and, therefore, the necessity for more rapid expansion in the future. To meet the anticipated demands of more and larger ships and greater cargoes, plans are in progress for the construction of many additional modern facilities at the earliest possible date. Among the most important of these projects are eight modern, reinforced concrete piers, capable of accommodating the largest vessels afloat, to be located north of the Ferry Building in the most accessible part of the water front. These will replace ten small wooden piers, built in the days of the sailing vessel, and now obsolete and of little value. There will also be one new concrete pier south of Channel street, an addition to the Islais Grain Terminal, practically doubling the capacity; a lumber terminal with bulkhead wharves at China Basin, a seawall and additional wharves at Islais Creek, and the extension of the Belt Railroad to the southern end of the water front, which includes partici-

pation with the city of San Francisco in the construction of a new bridge over the Channel at Third street and the widening of Illinois street.

Ten-Million-Dollar Bond Issue.

In order to finance this extensive program more rapidly than can be done from port revenues, a ten-million-dollar bond issue for harbor improvements was passed by the Legislature in 1929 to be approved by the voters of the State on November 4, 1930. The harbor has always been self-supporting under State management, and all expenses in connection with this bond issue, including interest and redemption requirements will be met from harbor revenues. There will, therefore, never be any taxation required for this purpose. The voters in all parts of the State gave a most hearty endorsement to the bond issue, the election results showing \$08,293 favorable as against 257,700 opposed, or a majority of more than three to one. To show the State-wide interest in the State's harbor, it is only necessary to point out that of California's fifty-eight counties, not a single one voted against these bonds, while in fifty-five counties the vote ranged from more than two to one to more than seven to one.

DEPARTMENT OF SOCIAL WELFARE.

DIRECTOR, ANNA L. SAYLOR.

Fifty years ago the giving of alms was the chief end and aim of social work. Today the prevention of crime, delinquency, mental defectiveness, dependency, social maladjustment, and the rehabilitation of those who are in distress or out of step with the normal population is the ultimate goal of social work. In the light of the foregoing, the State has set up certain machinery to carry out a preventive program.

State and County Cooperation.

The aim of social welfare is to release the potential powers of the local community for development from within. Under our law the counties are responsible for the care of the sick, the incapacitated and the indigent. Each county has the skeleton machinery for local welfare work, and in addition there are many fine leaders who are able to carry on local work, provided they are helped to understand the use of their own machinery and are given such assistance and guidance as they desire. The county is concerned with the individual, while the State's main function lies in the field of education, study and analysis of social problems, establishing standards, collecting and distributing information. To this end the State Department of Social Welfare during the past four years has devoted a great deal of time to assisting local officials and lay groups in the performance of their duties in accordance with the most enlightened development in this field of work. This has been done largely through community demonstrations, surveys, publications, reports, newspaper articles, addresses, group conferences, correspondence, news letters, and by improving standards, clarifying procedure, promoting better organization and programs for county welfare and relief work.

STATE AID TO NEEDY CHILDREN.

A State and County Responsibility.

The granting of State aid to needy children is a joint obligation of the State and county. There is no maximum or minimum amount which the county can grant, but the maximum amount which the State can grant is limited. At the present time about 16,000 needy children are receiving State aid. These are orphans, half-orphans, abandoned children, and children whose fathers are incapacitated by tuberculosis or permanent disabilities. This system of aid to children was put into effect in the early eighties.

Children Cared For in Own Homes.

Aid was first granted to children in orphanages, but the numbers in institutions have steadily decreased, until at the present time nearly 90 per cent of the children on aid are being cared for by their own mothers or relatives, and are thus being given the opportunity of growing up in that normal family life which is still our best apprenticeship for useful citizens. The amount of State aid granted to needy children is about \$1,750,000 a year.

Financial Aid Only a Part of State's Concern.

Meeting the financial needs of children is only a part of the State's concern. For that small army of 12,000 children with their own mothers, the State wishes to be assured that the income in each home is adequate, that the health of each member is protected, that the housing and living conditions are suitable, that the children are being supervised properly if the mother is employed; in short, that the State and county are safeguarding their joint investment in future citizens.

Licensed Orphanages and Boarding Homes.

There is at present capacity for about 6000 children in orphanages and approximately 10,000 in family boarding homes, all of which are licensed and supervised by the Department of Social Welfare or its accredited agencies. A considerable number of this group of children receive State aid. The task of the department in this field has been to establish adequate standards for the care of these children

who are deprived of their normal family protection. This has been accomplished through the enforcement of standards, educational conferences and the cooperation of local health and welfare departments. Extensive health service has been made available to these children. In the past four years the department has stressed the need of social case studies of children before they are admitted to institutions, so that whenever possible plans may be made for the reestablishment of these children with their own mothers or relatives.

ADOPTIONS.

The Old Law.

For a number of years prior to the new adoption law in 1927, the child placement agencies of California had placed children for adoption. However, the great bulk of the work consisted of independent adoptions carried on without reference to standards of good social work. Under such conditions, the judge was often compelled to complete adoptions on insufficient evidence, or practically no evidence, of the fitness of the petitioners or the eligibility of the child in question.

The New Law.

The purpose of the new law was to prevent the promiscuous placing of children, since experience had proven that great unhappiness and suffering was the result of the hasty and unsupervised methods which had formerly prevailed. Through proper investigation such as the 1927 law provides, the judge is given sufficient information to enable him to safeguard children against unfit foster parents and to prevent foster parents from adopting children who are physically, mentally or otherwise unfit for adoption. In any adoption program, it must always be understood that there are always more good prospective homes than there are children eligible for adoption. The child's interests are the State's first and chief concern, and the department has done its utmost to secure to every child the best home obtainable.

Proper Investigations Made.

During the past three years, 3419 cases have been investigated, either directly by this department or by its licensed child-placing agencies. Of those investigated by the State department, 15 per cent have been recommended for denial and some other plan has been made for the child. Los Angeles County has had about 49 per cent of all the adoptions in the State.

Need for Change in the Law.

The actual administration of the law has disclosed some very interesting facts which could not possibly have been known until such time as the department assumed the responsibility for this particular phase of work. The necessity of amending the law in the light of these facts is apparent. As an important example, we note that about 50 per cent of the adoptions in California each year are by relatives, and more than one-half of these are by step-parents. It is interesting to see the number of cases where a woman remarries and her husband adopts her children by a former marriage. The department realizes that such an adoption requires a different type of investigation than that of a child by a nonrelative.

Experts Favor the California Law.

It is interesting to note that social planning experts all over the country are strong in their approval of such a law as California now has. Certain amendments to simplify and clarify the law are being prepared by a committee appointed for that purpose, and a bill designed to make the law more workable will be presented to the next Legislature. It is recommended that in the interest of children who are deprived of a natural parent or parents, the State should improve the present law, as it is necessary to further safeguard the interests of children and foster parents, but under no circumstances should the law be repealed. Three years' operation of the law has demonstrated its fundamental soundness and has placed California well to the front in this field of child welfare.

DIVISION OF PROBATION AND DELINQUENCY.

Object of State Participation.

This division was created to meet the requirements of an amendment to the law in 1929, by placing in this department responsibility for the general supervision of adult and juvenile delinquency. The object of State participation in probation is to give delinquents and potential delinquents an opportunity to be kept out of the criminal class, or if they find themselves in that class to help them out of it if possible, regardless of the remoteness of the communities in which they live or the lack of social understanding by local authorities.

Minimum Standards and Uniform Records.

Under State supervision, every county has at least minimum standards of probation for meeting the individual needs of those who are in danger of becoming delinquents and criminals, and a system for uniform keeping of records. It must be understood that absence of records or inadequate records of the activities of law violators break down the whole theory of probation and render it useless, while complete and uni-

form records make possible the scientific and human understanding of the various complex problems arising in the courts of the State and the interpretation of recorded statistics. Where no records are kept, the past history of the most dangerous and habitual criminals may not be known, and habitual offenders who make a good appearance are often placed on probation.

Activities.

The work of this new division includes general supervision of adult and juvenile probation, the securing of uniform methods of social accounting, the inspection of jails, prisons, detention homes, and reformatories. During the past year the Supervisor of Probation has been engaged in collecting and interpreting statistics, holding conferences with judges, probation committees and probation officers, and reviewing and passing upon all plans for the construction of jails, prisons, correctional institutions and detention homes. In addition, a number of regional institutes were held during 1929 and 1930 for probation officers, probation committees and interested citizens, with representatives from all counties present.

Findings.

From the statistics collected, it was found that in 1929, 237 probation officers of the State and the individual counties supervised a total of 18,228 adult and juvenile probationers, with a total expense of maintaining this work amounting to \$678,304.44. The total collections for restitution and family support from those on probation averaged over \$60,000 per month, which is more than the entire cost of maintaining the probation system of California for one year. Had this large group been cared for in correctional and penal institutions, the cost of keeping them in idleness would have been approximately \$11,000,000. This estimate is made on the basis of \$2 per day for the care and schooling of juveniles in State correctional schools, and \$1 per day for the maintenance of adults in jails and prisons. Inasmuch as it is only the very small minority who fail on probation, it would seem that more and better probation might well be considered as a proper substitute for prison care, where wards of the State are kept in idleness at the expense of taxpayers and under demoralizing influences at best.

Recommendations.

It is recommended (1) that probation officers be appointed only because of their special fitness and training for the work and that they be given salaries commensurate with service rendered; (2) that probation officers be given such a reasonable number of cases that they can render a maximum of service to their probationers; (3) that the State raise the standard of probation work by paying one-half the salaries of chief probation officers who may meet certain qualifications and standards of service; (4) that the smaller counties that are unable to provide adequate service to probationers be given the legal authority to establish and maintain joint probation offices.

MENTAL HYGIENE SURVEY.

Object of Survey.

In 1927 the State Conference of Social Work took the first steps looking toward a mental hygiene survey of California by stating in concise terms the apparent need for such service. The object of study was to take an inventory of conditions relating to delinquency, mental defects and disorders, to build a constructive program for improving conditions, and most important of all, to develop preventive measures which will basically reduce the causes of vast misery and suffering as well as the great financial burden to the taxpaying public. The work has already been done by a national authority on mental health and disease, and a very valuable report of his findings and recommendations will be released to the public at an early date.

Modernization of State's Institutional Program.

The survey includes the modernization of the whole State hospital system in line with the systems now used in the most forward looking states. The work of all the State hospitals has been carefully studied, with emphasis on the quality of clinical work. It has been the desire of the committee in charge of the survey to get an accurate estimate of the aids and obstacles to the development of the best psychiatric standards in mental hospitals. Readjusting mental cases back to community life following parole requires close cooperation between State hospitals and local agencies. The survey tells how such cooperation can be brought about. The survey also includes the modernization of an institutional program for the feeble-minded. An extensive study was made of delinquency and antisocial behavior, with particular emphasis upon prevention, recognition and treatment. An extensive inquiry has been made into education in its relation to mental hygiene and the establishment and development of thorough courses in mental hygiene in schools and colleges.

Extent of Problems.

The extent of the problems falling into the purview of the mental hygiene survey can best be comprehended by glancing at the following figures compiled on October 1, 1930:

Population in county hospitals-----	110,000
Population in State hospitals-----	14,965
Population in State homes for feeble-minded-----	2,705
Population in county jails-----	3,300
Population in State prisons-----	7,101
Population in State correctional schools-----	1,095
Number of adults and juveniles on probation-----	18,228

Survey and Inventory.

The survey should be regarded as an inventory of the quality and quantity of work which is now being done in California for the care, treatment and prevention of the various forms of maladjustment. It is the hub from which needed developments can radiate to give the State a more economical program with larger humanitarian results. It is an intelligent, comprehensive and modern program in which all agencies should unite, concentrating on prevention, and outstanding results should be achieved in a comparatively short time. California can not ignore this factual study and its consequent recommendations if she desires to lessen her tax bill and discharge her moral and legal obligations to the aged, blind and crippled; to prevent and cure mental disorders; to prevent delinquency and rehabilitate delinquents. This survey presents a program which should not be relegated to a place of unimportance in the State's future social planning because it spells humanity in terms of economy.

STATE AID TO THE NEEDY AGED.

Survey.

In 1927 the Legislature authorized the department to make a survey of the living conditions of the needy aged in California to determine the size of the problem, to study old age dependency in other countries and to recommend legislation, if such were found to be necessary or desirable. In the progress of the survey, a number of counties were visited, each typical of the various parts of the State and the widely differing industrial and agricultural conditions. Thus the north and the south, metropolitan, agricultural, mining and lumbering counties were carefully studied at first hand, in addition to the study of records of social agencies, both public and private.

Law Enacted.

In 1929 the State Legislature enacted a law providing State aid to the needy aged living outside of State and county institutions. The purpose of this act was to enable needy old people to live in their own homes, or the homes of friends or relatives, instead of being placed in institutions, and to make it possible for old couples to remain together. The measure was not intended to provide a pension for any citizen simply because he had reached the age of 70 years and had been a resident of California for 15 years, but was intended to give assistance to those actually in need. Under the law the State and counties share equally in giving the aid, the maximum of which is \$1 per day per person. Here, again, the maximum is not necessarily given to each recipient, as income from all sources is considered in estimating the amount to which aid may be added to bring the budget up to a total of \$1 per day per person.

Procedure in Administration of the Law.

The application for aid is made to the county board of supervisors or their accredited agency, and the eligibility of the applicant for aid is established by means of family case work investigation made by the county. If the county deems the applicant eligible for aid, the application is approved by the county and forwarded to the State. The State then reviews the case, and if the applicant meets all the requirements the county is notified that State aid will be granted. The county advances the aid to the applicant, and every six months files a claim with the State for half of the aid which has been advanced by the counties during that period. The United States Department of Labor, the National Committee for Old Age Security, and the Fraternal Order of Eagles, which has been fostering old age security systems in the various states of the Union, have characterized the California plan as one of the best and soundest methods of assuring security to the aged yet established.

Applications.

Under this law, three times the number of aged meeting the necessary requirements of age, citizenship and residence are receiving aid, and in a larger amount, than had formerly received county aid. There is no doubt that this law has relieved much hardship among the aged. December 1, 1930, 8498 applications had been received for aid. Of this number, 5582 had been acted upon; 5184 applications had been approved, and 397 denied by this department or withdrawn by the counties, leaving a balance of 2916 applications in the pending file at the end of November.

Recommendation.

In order to establish the administration of the act on a more uniform basis, it is recommended that the law be so amended as to clarify certain points which have frequently required the services of the Attorney General's office for interpretation.

STATE AID TO THE NEEDY BLIND.

Survey.

In 1928 three State departments, namely, Education, Institutions, and Social Welfare, were authorized by the Governor to investigate the condition of the needy blind in California and to make such recommendations as they jointly deemed necessary. Upon investigation it was found that the program under which the State was operating was some forty years old, and did not adequately meet the needs of the blind in this rapidly growing State. The survey brought out the fact that the majority of needy blind are more anxious to help themselves than to accept aid from any source, and they themselves asked for workshops or industrial schools where they could be trained in occupations suitable to the blind. As a result, a very splendid workshop and salesroom has been established by the Department of Institutions in Los Angeles, and a salesroom has been established in connection with the Industrial Home for the Adult Blind in Oakland.

Aid Authorized by Legislature.

In 1927 a constitutional amendment was voted on by the people, permitting the Legislature to grant State aid to the needy blind living outside of State or county institutions. In 1929 the Legislature passed an act which fixes \$25 as the maximum amount that can be legally granted by the State to a needy blind person, provided the county grants an equal amount. The amount granted in each case is based entirely upon the applicant's need, and the procedure is identical with that of granting State aid to the needy aged. The survey estimated that the maximum number of applicants for aid would be close to 2000, but only 1412 have applied up to December 1, 1930. Of this number 1224 applications have received final action.

Aid Varies With Age of Applicant.

A study of our group of applicants shows that the largest number have become blind in later life; 63.35 per cent are sixty years of age or over. Our duty to this group is to see that they receive adequate care in comfortable surroundings. Of the younger group of blind coming to the attention of the State department, not only is provision made for care, but every effort is also made to place them in touch with opportunities leading to self-support or partial self-support. After training is received, this group in most cases will need assistance while becoming established as self-supporting members of society, and it is the aim of the department to step in again and provide this assistance without which the training in many instances would fall far short of its purpose. Fortunately today, through medical science and legislation designed to provide safeguards against industrial hazards, great reduction is being made in the prevalence of this handicap. We may all look forward to the day when the number of blind will be very materially lessened. In the meantime the State of California is making an outstanding effort to care for its needy blind.

RAISING STANDARDS IN COUNTY HOSPITALS.

Scope of County Hospital Service.

The largest unit of public welfare service in California, both in amount of public expenditures and number of persons affected, is the county hospitals. In the past year over 110,000 persons received care in county hospitals, in addition to thousands of out-patients attending the clinics, and the total expenditure for county hospitals was over \$16,000,000. Aside from the State subsidy for the care of the tubercular, these expenditures represent county funds.

Relation of Department to County Hospitals.

The supervision and inspection of county hospitals is a duty of the Department of Social Welfare, since over 95 per cent of the costs are paid from tax funds and constitute the outstanding public charity of the State. The department, being a lay department, has not concerned itself with the medical aspects of the hospitals, but only with the matters which relate to the service of the hospitals as public charities.

Uniformity Helpful.

With the vast differences in size of our counties, the hospitals vary correspondingly. Some of our larger hospitals rank with the best in the country, and in some of the smaller counties the hospitals give nothing but custodial care for the aged. Certain problems, however, affect all the hospitals, and the establishment of standards and the adoption of policies will help all the hospitals to meet the needs of the communities which they desire to serve. For this purpose the department has taken steps to assist the hospitals by organizing committees which will serve as a central clearing house of information and will bring together the superintendents for consideration of their problems.

CONCLUSION.

In concluding this message I would call your attention to what I said in the beginning, that it attempts rather fully to follow the constitutional mandate that the Governor "shall communicate, by message to the Legislature at every session, the condition of the State, and recommend such matters as he may deem appropriate." Through constant touch with our State departments, as month by month they have reported their activities to the Governor's Council, I have been privileged to gain a very complete and exhaustive knowledge of California's governmental activities. This has been of immense value to me, and I have thought it wise to hand down in this message a somewhat complete report of these activities.

To indicate the continuity of the policies underlying State government, I think I can not do better than quote two paragraphs from my message of two years ago:

May I again express my conviction that the dominant public policy in the minds of all the people at this time is one of long-time planning? The facts and conditions reported to you in this biennial message are data upon which plans will be laid by you and by those who will follow you, for the progressive development of our State through many years to come. A careful analysis of true conditions is somewhat tedious to write as well as read, but such a careful analysis guarantees that our progress shall be sane and constant rather than spasmodic.

We are enjoying in California the privileges and blessings of a government which is the outgrowth of an era of progressivism that had its beginning twenty years ago. By a marshaling of facts, by an analysis of needs, and by surveys of our resources, we have before us an opportunity to launch a program of constructive progress which, without regard to persons or politics, will influence the history of California for a generation to come.

And now the time has come to say good-bye to those who have so generously aided me in all my endeavors in behalf of the State. Whatever measure of success my administration may have had has been made possible through the cooperation of these friends and friends of good government in California. I can think of no better wish for my successor than to trust that the men and women who shall serve in his administration will be as loyal and faithful and hard-working as those who have been with me during the past four years.

Respectfully submitted,

January 5, 1931.

C. C. YOUNG, Governor.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Senate and Assembly of the State of California.

I am submitting herewith copies of my message regarding acts of executive clemency during the years 1929 and 1930, in accordance with the provisions of article VII, of the State constitution, and section 1419 of the Penal Code.

Yours very respectfully,

January 5, 1931.

C. C. YOUNG, Governor.

MESSAGE OF GOVERNOR C. C. YOUNG REGARDING ACTS OF EXECUTIVE CLEMENCY DURING THE YEARS 1929 AND 1930.

EXECUTIVE DEPARTMENT, January 5, 1931.

To the Senate and Assembly of the State of California.

In accordance with the provisions of Article VII of the State constitution, and of section 1419 of the Penal Code, I am hereby communicating to you each case of reprieve, commutation or pardon issued by me since my previous report two years ago. In this I am complying with the mandate of the constitution by "stating the name of the convict, the crime for which he was convicted, the sentence, its date, the date of the pardon or reprieve, and the reasons for granting the same."

In order that the record may show all the facts in each case, as well as my reasons for exercising executive clemency therein, in issuing each order I made a very detailed statement of the case; and for those who are interested in any particular case, I am transmitting the entire text of each executive order as an appendix to this communication.

NUMBER OF INDIVIDUALS RECEIVING EXECUTIVE CLEMENCY.

I have exercised executive clemency in the cases of eighteen individuals during the past two years. There have been but two pardons from prison; but those cases involved, first: three individuals who were codefendants in a proceeding which apparently involved mistaken identity, and second, two others who were convicted on testimony later discredited. In addition to these, nine individuals have been pardoned, most of them to restore citizenship after their paroles had long since expired, or to enable them to acquire citizenship. There were two commutations from the death sentence to life imprisonment, both of them having been preceded

by reprieves, as well as one other commutation of life sentence to the time served. There was one additional reprieve, following an attempt at suicide by the prisoner, who afterward recovered and was executed. As stated in my report of two years ago, I have not felt it wise to take action in misdemeanor cases or cases involving contempt of court.

ADVISORY PARDON BOARD.

I wish to give especial acknowledgment to the work of the Advisory Pardon Board, consisting of the Lieutenant Governor as chairman, the Attorney General, the Director of the Department of Penology, and the wardens of the two State prisons. This board has made a careful examination of all cases which I have submitted, and has presented to me exceedingly valuable reports of their investigations. Special mention is due Lieutenant Governor Carnahan, chairman of the board, who to my knowledge has personally spent many days in looking into cases where particular attention was required.

In all 45 cases have been referred to the board during the past two years, of which 28 have been given an unfavorable report and 17 have been recommended for pardon. Except in capital cases, it has been my uniform policy to await a recommendation from the Pardon Board before taking final action on any application for executive clemency. This board is invaluable in investigating matters for a Governor which he could not work out for himself owing to the pressure of other duties.

PRINCIPLES UNDERLYING EXECUTIVE CLEMENCY.

In my report of two years ago, I attempted to set forth certain principles which might well be a guide as to the bestowal of executive clemency. I have kept these principles before me during my entire administration, and believe that I can not do better than to repeat in this report four of them which seem particularly important. They are as follows:

1. In consideration of any case, it is necessary to keep in mind not only the individual but society as a whole. It goes without saying that there are within our prisons hundreds of individuals who have transgressed our laws, but who happily possess so many pleasing traits and appealing qualities that it would be very easy to wish to exercise clemency in their behalf. On the other hand, I believe that we must always keep in mind the inevitable effect upon society as a whole if it should appear an easy thing to avoid the penalty of the law through excess of sympathy for the individual on the part of a Governor. Too great exercise of the pardoning power has been tried in a few states, with very disastrous results.

2. In a number of cases I have had occasion to stress the point that, in the absence of new facts not brought to light at the trial, I should be extremely loath to overturn the verdicts of our juries and the judgment of our courts. If any new evidence is discovered that was not available to the jury, it is of course entitled to great consideration. But I do not believe a Governor should sit as a thirteenth juror, as it were, since he obviously can not have the advantages and opportunities of the twelve members of the panel who weighed the evidence and who saw and heard the living, speaking witnesses. A jury's verdict, therefore, must be normally regarded as conclusive, and to justify subsequent pardon in advance of parole, either innocence should be proven beyond all reasonable doubt, or it must be very clear that further punishment would involve a serious miscarriage of justice.

3. Under the very liberal parole laws which prevail in California, the first clemency to be shown a prisoner should normally be through action of the Parole Board. During the thirty-six years since parole was first established in this State, only about 18 per cent of those paroled have found their way back into the prisons, and the majority of these have gone back, not through the commission of a new crime, but for the breaking of parole regulations. During this period, of somewhat more than 12,000 paroled, over 10,000 have been restored to normal, law-abiding lives. Parole is extended to those unquestionably guilty of the crime for which they were convicted, but whose past history and whose prison behavior makes it probable that they can be rehabilitated, as well as to those concerning whom there is a doubt as to their guilt or the propriety of their conviction, but not a sufficient certainty of innocence to warrant an absolute pardon. It is clearly an erroneous assumption that acceptance of parole implies admission of guilt.

4. During the period of parole the former prisoner is bound to conduct himself properly, for to do so is a condition of the necessarily rather rigid parole regulations. He must be industrious, temperate, law-abiding, and in other ways justify the freedom which has been accorded him. As soon as the period of parole has expired, however, and conditions of parole no longer compel him to observe a course of good conduct as the price of freedom from prison restraint, I believe the State should give him assurance that he may look forward to ultimate pardon and restoration to citizenship, provided after a reasonable length of time he can show that he has proved himself worthy of such recognition.

EXECUTIONS DURING PAST TWO YEARS.

During the past two years 27 men have been executed at the two prisons in this State, as follows:

<i>Name</i>	<i>Executed</i>	<i>Prison</i>
Kuryla, George	Jan. 25, 1929	Folsom
Randolph, H. H.	Feb. 8, 1929	Folsom
Lapierre, Edgar	Feb. 15, 1929	San Quentin
Coen, Perry	Mar. 22, 1929	San Quentin
Thomas, Samuel	Mar. 22, 1929	San Quentin
Fook, Leong	April 5, 1929	San Quentin
Beitzel, Russell St. Clair	Aug. 2, 1929	San Quentin
Price, Jack H.	Aug. 30, 1929	San Quentin
Rowland, Paul	Sept. 27, 1929	Folsom
Costello, George	Dec. 13, 1929	San Quentin
Negra, Antone	Dec. 13, 1929	San Quentin
Croce, Mario	Dec. 20, 1929	San Quentin
Brown, Anthony	Jan. 3, 1930	Folsom
Stokes, Roy E.	Jan. 3, 1930	Folsom
Lazarus, Louis	Jan. 3, 1930	San Quentin
Burke, Walter E.	Jan. 10, 1930	Folsom
Gregg, James H.	Jan. 10, 1930	Folsom
Crosby, Eugene	Jan. 17, 1930	Folsom
Chandler, James	Feb. 10, 1930	San Quentin
Reilly, Alphonse	Mar. 14, 1930	San Quentin
Boitares, Armando	May 16, 1930	San Quentin
Lehew, Thomas	Aug. 1, 1930	San Quentin
Gomez, John	Aug. 15, 1930	San Quentin
Northcott, Gordon Stewart	Oct. 2, 1930	San Quentin
Ryley, George	Dec. 5, 1930	San Quentin
Boss, Alfred	Dec. 5, 1930	Folsom
Davis, George	Dec. 5, 1930	Folsom

In each of these cases appeals were made for a commutation of sentence from death to imprisonment for life. In each instance I personally read every word of the transcript of testimony taken at the trial and all letters and documents relating to the cases that reached this office, and also talked with all who came to see me.

ACTS OF EXECUTIVE CLEMENCY.

The several acts of executive clemency during the last two years are treated briefly in the following paragraphs, according to the classifications of reprieves, commutations, pardons, and restorations, the last named being pardons either to restore citizenship and civil rights after parole and discharge, or to permit aliens to obtain citizenship or escape enforced deportation. The full text of all the executive orders appear in the appendix chronologically just as they are found in the records.

A. REPRIEVES.

1. Allen Ellis was sentenced to be hanged at San Quentin on May 17, 1929. Affidavits were presented to me which raised a possibility of his having been under eighteen years of age at the time of the murder. To allow time for a full examination into the case he was reprieved until July 19, 1929. On July 17, 1929, his sentence was commuted to life imprisonment.

2. George Costello was sentenced to be hanged at San Quentin on October 17, 1929. On October 14th he attempted suicide, and was so badly injured that in the opinion of the warden and the prison physician he would have been unable to mount the scaffold on the day set. To allow an opportunity for recovery his execution was postponed to December 13, 1929, on which date he was executed.

3. Joe Troche was sentenced to be hanged at San Quentin on April 18, 1930. His execution was postponed to April 25th, to avoid an execution on Good Friday. During the intervening week I received a letter signed by six justices of the State Supreme Court and a Presiding Justice of the District Court of Appeals expressing the opinion that the case was one calling for executive clemency. To give time for the investigation required, the execution was again postponed to May 23, 1930. On May 20th I commuted his sentence to life imprisonment.

B. COMMUTATIONS.

1. Allen Ellis, sentence commuted July 17, 1929, from death to life imprisonment without parole. Convicted in Fresno County of murder in the first degree. There was no question as to his guilt. However, if he was under the age of eighteen at the time of the murder the law would not permit his hanging. The evidence was somewhat conflicting at the trial, but the jury believed he was eighteen years three months old when the crime was committed. After the trial I received a number of

affidavits from persons who did not testify at the trial, which created a reasonable possibility that Ellis was only seventeen years three months old at the time. For this reason alone I commuted his sentence to life imprisonment, without parole.

2. Joe Troche, sentence commuted May 20, 1930, from death to life imprisonment. Convicted in El Dorado County of murder in the first degree and sentenced to be hanged at San Quentin on April 18, 1930. There were two reprieves, one because the date originally set fell on Good Friday, and the other to allow time to study the case. Six justices of the State Supreme Court and a Presiding Justice of the District Court of Appeal joined in a letter stating that the case presented a situation where executive clemency should be applied. A question as to Troche's mental condition at the time of the crime, and a possibility that the girl who was killed met her death by a bullet which first entered Troche's head in an attempt at suicide, there having been only one empty shell found, warranted this commutation.

3. Horace Magee, sentence commuted January 2, 1931, from life imprisonment to that portion of his term which has now elapsed. Convicted in Riverside County of first degree murder and sentenced to life imprisonment at Folsom February 29, 1908. Served twelve years; on parole since 1920. Good conduct during parole period. Crime was the result of a quarrel and really equivalent to manslaughter, maximum penalty for which is ten years. The judge who tried the case is dead; the then district attorney recommended clemency; the Advisory Pardon Board recommended commutation as granted.

C. PARDONS.

1. Mike Garvey, Harvey Leshner and Phil Rohan, pardoned June 20, 1930. Convicted in Los Angeles County on January 11, 1928, of burglary and murder in the first degree and sentenced to life imprisonment. Pardons recommended by the district attorney of Los Angeles County, Hon. W. T. Aggeler, the judge who presided at the trial, and all of the members of the Advisory Pardon Board. The convictions in these cases were based almost entirely upon the testimony of a ten-year old boy, which has been discredited, and that of a confessed bootlegger, who has since entirely repudiated his own testimony.

2. Miles K. Ledbetter and Walter E. Evans. Pardoned January 5, 1931. Convicted in Los Angeles County of bribery. Sentenced to one to fourteen years in San Quentin. Received there July 2, 1930. Now there. Full statement in Appendix.

D. RESTORATIONS.

1. Frank Gleichauf, pardoned January 29, 1929. Convicted in San Francisco October 27, 1886, of murder in the first degree. Sentenced to life imprisonment. Paroled September 8, 1908. Violated parole; recommitted September 7, 1911. Paroled again September 1, 1912. The original records in this case were destroyed in the San Francisco fire in 1906. Judge D. J. Murphy who tried the case, in recommending parole in 1908, wrote that he would have been satisfied with a lighter sentence, because of somewhat extenuating circumstances. The parole violation in 1908 was that of leaving the county after a quarrel, and failing to report. Gleichauf had been steadily employed since 1912, had a good reputation and was well recommended. The Advisory Pardon Board were unanimous in recommending executive clemency. Twenty years of imprisonment followed by over sixteen years of parole, with exemplary conduct, would seem to entitle this man to a restoration to citizenship.

2. John Vidovich, pardoned August 14, 1929. Plead guilty to grand larceny in Los Angeles County. Sentenced April 4, 1927. Paroled April 28, 1928. Parole expired August 9, 1929. Unless he was pardoned at this time he was subject to deportation as an alien convicted of a crime involving moral turpitude. The criminal offense seemed to have been mingled with a civil action by some of his fellow countrymen, and probably was brought about by them in order to enforce settlement. The Advisory Pardon Board recommended a pardon on the grounds that the crime was probably only petty larceny; that Vidovich would not be an undesirable citizen if allowed to remain in this country, and that if he were deported his family would be without support and would become public charges. The judge who tried the case expressed grave doubt that grand larceny had been committed. The sheriff of Los Angeles County, the assistant probation officer and other responsible people testified as to the good character of Vidovich, before and after the alleged crime was committed.

3. Edith Marjorie Davidson (nee Truell), pardoned September 16, 1929. Plead guilty to four charges of forgery in Los Angeles County. Sentenced on one charge July 27, 1926; placed on probation on other three. Paroled from San Quentin September 17, 1927, discharged from parole December 11, 1928, and from probation on July 16, 1929. While on parole, with consent of the Prison Board she married an American citizen, she being a Canadian. This pardon was necessary if her deportation was to be prevented. It was recommended by the Advisory Pardon Board. This offense was evidently the one false step in her life. Her husband is a responsible business man. The pardon had the approval of the judge who tried the case, the district attorney, the chief probation officer of the county, and many prominent citizens of Los Angeles. Her repentance, her good conduct before and after the

offense, warranted a removal of her civil disabilities so that she might become a citizen of this country.

4. Frank L. Vandusen, pardoned June 26, 1930, convicted in Humboldt County of fraudulent registration and voting, in May, 1927. On May 26, 1927, the time fixed for sentence, the court granted probation, to continue for two years, without the customary restrictions. The probationary period has expired, the man has received a severe lesson, and has led an exemplary life except for this one offense, which did not involve moral turpitude and was very probably committed through a mistaken interpretation of a technical law.

5. Ted Lynch, pardoned July 8, 1930. Convicted of involuntary manslaughter in Ventura County. Probation denied. Sentenced to San Quentin November 12, 1923, paroled November 2, 1924, discharged from parole March 12, 1926. Driving on the wrong side of the road while intoxicated he ran into and killed an elderly lady. Realizing the gravity of his offense he did not testify in his own behalf and accepted his sentence as just and merited. Upon his return from San Quentin his employers gave him a better position than the one he had left. The judge who presided at his trial, the then district attorney, the present one, a majority of the jurors in the case, the legislators from that district, together with many other fellow citizens joined in recommending his pardon. In view of his fine spirit and his determination to be a useful citizen, it was granted.

6. Clifton R. Ticknor, pardoned October 14, 1930. On September 19, 1919, Ticknor plead guilty in Orange County to a violation of section 284, Penal Code (knowingly and wilfully marrying the wife of another). His indeterminate sentence was fixed by the Prison Board at one year; shortened to ten months for good behavior. He was released July 19, 1920. There seems to have been some doubt as to the degree of his guilt. Moreover, his good conduct for over ten years since his release was testified to by his employers, who wished to aid him in securing a business of his own. A pardon was recommended by the Advisory Pardon Board.

7. Andrew O'Keefe, pardoned October 14, 1930. Convicted in San Francisco of second degree burglary, March 28, 1914. Released September 5, 1917. He had been previously convicted on a like charge and was in San Quentin from 1909 to 1913. At the time of his conviction he was a heavy drinker and committed both crimes while under the influence of liquor. While in San Quentin the last time he learned to read books, gained a new outlook on life, and since his release has completely rehabilitated himself. Since he was a second term, it was necessary for the justices of the Supreme Court to approve his pardon, which was done. It also has the approval of the Advisory Pardon Board, as well as his employers and other responsible people who have watched with interest his complete reformation.

8. A. G. Halastik, pardoned January 2, 1930. Convicted in Sacramento County of violation of section 288, Penal Code. Sentenced to six years at San Quentin on July 9, 1924. Paroled May 22, 1926. Parole expired December 20, 1928. Good record during and after parole. Affidavits of complaining witness, eleven years old at time of trial, upon whose testimony conviction was based, and of her father and mother, a statement and recommendation by ten jurors in the case, and a letter from Hon. John F. Pullen, the judge who tried the case, raised considerable doubt as to the justice of the conviction. The Advisory Pardon Board recommended this action.

9. Wm. J. O'Bryan, pardoned January 5, 1931. Convicted in San Luis Obispo of first degree murder. Sentenced to life imprisonment in San Quentin in 1911 and released on parole in 1921; returned to Baltimore on release; good conduct; steady employment. All parole restrictions observed; mitigating circumstances. Recommended by Advisory Pardon Board.

THE CASE OF BILLINGS AND MOONEY.

In my previous report on Reprieves, Commutations and Pardons submitted to the Legislature on January 10, 1929, I made reference to the case of Thomas J. Mooney, who had presented to me a petition for executive clemency. So much has been written during the past two years with reference to Billings and Mooney that a brief recital of the occurrences since my last report will probably be sufficient to bring the case down to date.

Article VII of the State constitution provides that "Neither the Governor nor the Legislature shall have power to grant pardons, or commutations of sentence, in any case where the convict has been twice convicted of a felony, unless upon the written recommendation of a majority of the judges of the Supreme Court." Owing to the fact that Warren K. Billings had been convicted of a prior felony, it was accordingly necessary for his case to be favorably considered by the court before any executive action could be taken.

Accordingly, on November 7, 1929, Billings applied to the justices of the Supreme Court for a pardon recommendation. The members of the court gave long and careful consideration of this petition, and in a communication to me, dated July 2, 1930, six of the seven justices made a lengthy report, stating that they were unable to recommend a consideration of the Billings application. Within a very few days thereafter I made the following statement, denying Thomas J. Mooney's application for a pardon:

I have before me an application for pardon in the case of Thomas J. Mooney, now undergoing life imprisonment in San Quentin Prison, together with a communication from the State Supreme Court in which six of its seven members refuse to recommend a pardon for Warren K. Billings, convicted of the same crime though at a separate trial. Mooney was tried during January and February of 1917 and convicted for guilty participation in a bomb explosion in San Francisco on July 22, 1916, an explosion which took a toll of ten lives and maimed and wounded many more. The original sentence of death imposed upon the defendant was a year and a half later commuted to imprisonment for life.

Although two previous Governors had refused to pardon Mooney, I have nevertheless given his application most thorough and exceedingly careful consideration. I have been in receipt of many hundreds of communications from all portions of the world, most of them evidencing a sincere belief in the prisoner's innocence and urging his pardon, though in practically every instance with no first-hand knowledge of the case except what they have been told by others, or have read either in the press or in literature sent out by the Mooney Defense Committee. There has been no propaganda or pressure of any kind directed to the keeping of Mooney in prison.

In making my study of the case, I have done so with absolutely no prejudice against Tom Mooney for any social theories he may hold or for any other crimes with which he may have been charged, or may have been capable of committing. If he was innocent of this particular crime, to keep him in prison would be an ineffaceable blot upon the good name of the State. On the other hand, if he was not innocent, he was guilty of one of the most uncalculated and atrocious crimes ever committed—the wanton murder of unsuspecting men, women and children, gathered upon a public street to witness a patriotic demonstration of San Francisco's citizens.

Coupled with the case of Mooney was the parallel case of Warren K. Billings, who several months before had been convicted of participation in the same crime, and who had already served a term in prison for another offense. The constitution of California expressly forbids a Governor to grant executive clemency to a twice-convicted felon except upon recommendation by a majority of the justices of the Supreme Court; and on November 7, 1929, Billings applied to the court for such a recommendation. In order to secure all possible assistance and advice as to the case of Mooney, I referred it to the Advisory Pardon Board, which is regularly constituted by law to assist in investigating applications for executive clemency. Their report is now before me, and is hereby made a part of this statement.

Although I had spent many months in studying these cases and had carefully read the transcripts of the trials, as well as the thousands of pages of the briefs, petitions, affidavits and other documents filed with me, as continuously stated during my investigations I had not been able to convince myself of the innocence of the prisoners; but I had been convinced that innocence or guilt of the one implied corresponding innocence or guilt of the other, and that whatever treatment was accorded the one should in all fairness apply to the other.

Accordingly, it was with much satisfaction that I learned that Billings had applied to the justices of the Supreme Court for a pardon recommendation, for I realized that this would mean an independent and unbiased study by the highest judicial body of the State, composed of men of specialized training and outstanding ability; and I sincerely welcomed this assistance in a case which I had found exceedingly difficult and baffling. Early in November, 1929, I expressed myself on this matter as follows:

"In all the maze of conflicting testimony at the trials, and in all the doubts raised since that time, one thing stands out clearly, and is conceded equally by those who favor and those who oppose a pardon—that both men are guilty or that neither is. Although they were tried separately for the same offense, the evidence at both trials in all essential particulars applies to one as well as to the other. Therefore, whatever recommendation the Supreme Court makes or refuses to make in the Billings case must apply with equal force to the case of Mooney."

I have quoted this statement which I made when Billings first made application to the Supreme Court justices, for I would not have it thought that I have changed my attitude in this matter in any particular. In fact, I have consistently stated that the justices' decision, after their independent and unbiased study, would of necessity be conclusive; and in order to insure this independent study, I have scrupulously refrained from discussing the matter with the members of the court. In fact, until their recent communication of July 2d was sent to me, I had not received the slightest intimation as to what their recommendation would be.

In denying Billings' application for a favorable recommendation, the justices lay particular stress upon the witness, John McDonald, who identified both Billings and Mooney as the men who placed the bomb which caused the loss of life. Both Billings and Mooney now contend that McDonald's original testimony was wiped out by an affidavit made four years later in New York City, in which he repudiated his original testimony. The question naturally arises as to how this repudiation was secured, and on what basis it is entitled to more credit than the testimony given on

oath at the trials, testimony which might easily have led to a death sentence for both defendants.

For various reasons which are set forth at length, the justices distrusted this affidavit; but in order to give Billings the benefit of the doubt determined that "some effort should be made to locate John McDonald, with a view to such further questions as might serve to shed light upon the circumstances and motives attending and animating the making of the affidavit in question." This was the wisest and fairest action the member of the court could have taken, for if it could be shown that such witnesses as John McDonald had issued false affidavits through improper motives, obviously no pardon or commutation could be recommended; while if it could be shown that the repudiating affidavits were true and dependable, the case against Billings would be materially weakened.

Right here comes an action on the part of Billings that seems to admit of no explanation, namely a letter under date of May 4, 1930, addressed to the court protesting against any such outside investigation as they were proposing, and stating his belief that neither the constitution nor the Penal Code conferred upon the Supreme Court the right to make such investigation. Upon the receipt of this letter the justices abandoned any attempts to secure the presence of McDonald. Meanwhile, there is no escaping the fact that Billings threw himself open to suspicion through his apparent fear to have McDonald come before the members of the court, where the circumstances surrounding his affidavit might be investigated.

In the case of Mooney, there were two witnesses who testified to seeing Billings and Mooney at the scene of the explosion. One of these was McDonald, who also testified in the Billings case, and the other was the cattle dealer, F. C. Oxman, who did not testify in that case. I have made a special study of Oxman's testimony, and desire to say that I thoroughly discredit it. I have personally and at great length interviewed both Mr. and Mrs. Hatcher of Woodland, where Oxman visited on the morning of July 22d, and am convinced that he did not arrive in San Francisco until hours after the explosion took place. I believe that Oxman was nothing more or less than a publicity-seeking romancer, though I do not believe that his connection with the case was through any connivance or conspiracy with the prosecuting officials. I can not agree, however, that the case against Mooney falls with the discrediting of Oxman, for the testimony of John McDonald is as strong a factor in that case as in the case of Billings.

I think there would be general agreement with the concurring opinion of Associate Justice Shenk, who, though conceding that the showing now made by the applicant does not warrant a recommendation for pardon, nevertheless insists that

"The means should be made available, as occasion might require, to disclose the circumstances and conditions under which a witness, thoroughly examined and cross-examined at a public trial, has later cast reflections upon or repudiated his former testimony given under oath in open court. * * * The important thing is to arrive at the truth of the matter, and in order to do so we should have the power to employ any appropriate means to satisfy ourselves of the truth or falsity of the repudiation, especially in the absence of any statute or rule governing the procedure in the premises. If we should exercise that power it might be that the truth would be satisfactorily brought to light, either for or against the application."

In view of Justice Shenk's observation in this regard, I would most respectfully suggest to the members of the Supreme Court that, should McDonald or any other material witness who has repudiated his former testimony appear before them for the purpose of proving that such repudiations are trustworthy, and that their former testimony was perjured, it may be only just and right to consider the propriety of giving a hearing to such witnesses in the case of Billings, just as I should desire to do in the case of Mooney.

Until the truth of the repudiating affidavits can be definitely established, no one can question the decision of the Supreme Court or the reasoning of the Advisory Pardon Board, for there are certainly some portions of McDonald's affidavit which appear patently untrustworthy. For instance in his affidavit McDonald alleges that no proper identification of either Mooney or Billings was made by him, that Lieutenant Goff took him to the door of Mooney's cell and said "This is your man; this is Mooney"; and that he subsequently took him to Billings' cell, "asked a turnkey to open the door, and said, 'Come out here, Billings.'" Upon careful investigation I am convinced that nothing of this kind occurred; nor can any one believe that Billings and Mooney and their attorneys knew of such a spurious identification without calling attention to the matter in either of the trials.

In view of what has been said above, and in view of the fact that from the very first I have considered the cases of Billings and Mooney as parallel, and in common with all others have recognized that both must be guilty or both innocent, until some further light is shed upon the case which I do not now possess I manifestly must accept the conclusions of the Supreme Court and the Advisory Pardon Board, and accordingly must at this time deny a pardon to Thomas J. Mooney. I am aware that this decision will be disappointing to many, particularly to those who have come to feel strongly on this subject without having had the opportunity to study the case

at first hand; but in a matter like this I must be guided by a conscientious regard for my oath of office, rather than a willingness to respond to popular appeal.

Along this line I possibly can do no better than to quote from a letter written in December of last year to Mr. Fremont Older, who has from the beginning taken such an earnest and sincere interest in these cases:

"Although I realize just as well as you that whatever decision I reach may be seized upon by political opponents, even though they themselves through similar study would have reached exactly the same conclusions as I, nevertheless the proper disposition of these cases is a duty too sacred to justify attack by those who would seek to use it as a political football. The good name of the State demands that this whole matter be removed entirely from the realm of politics; and I trust that it is not necessary to pledge you my word that, whether I am in a position to decide these cases before a campaign or during a campaign or after a campaign, my final decision will not depend one iota upon when it is made."

That this "final decision" has been made at the present time rather than six months ago is due to my feeling that out of deference to the Supreme Court I could not properly act upon the case of Mooney until the members of the court, in accordance with the constitution, had acted on the parallel case of Billings. I am announcing my decision at the earliest possible moment after receiving the communication from the court.

As will be noted, in this statement I called attention to the fact that the justices had expressed their desire to secure the presence of John McDonald, a material witness in the case, but abandoned any attempts in this direction after receiving a letter from Billings protesting against any such outside investigation. Nevertheless in my statement I referred as follows to the observation of Associate Justice Shenk, who expressed himself as believing that such investigation should be welcomed:

"In view of Justice Shenk's observation in this regard, I would most respectfully suggest to the members of the Supreme Court that, should McDonald or any other material witness who has repudiated his former testimony appear before them for the purpose of proving that such repudiations are trustworthy, and that the former testimony was perjured, it may be only just and right to consider the propriety of giving a hearing to such witness."

It was almost immediately after this that McDonald was produced in the city of Baltimore. A new petition for a favorable recommendation was made by Billings, in which it was declared that he now wished the whole case thoroughly investigated. The justices gave their consent, and agreed to open up the matter to the fullest possible extent with the purpose of hearing McDonald or any other witnesses who might appear before them, a proposal which was speedily carried out.

This hearing occupied several weeks of the justices' time during the months of July and August. Every one who cared to put in an appearance was welcomed to do so and there was probably the nearest approach to a rehearing of the case which could be possible at this late date. The justices even went so far as to go to Folsom Prison in order to listen to the testimony of Billings himself. The transcript of all these proceedings occupies three large volumes, and was made available both to the members of the court and to the Advisory Pardon Board.

This hearing undoubtedly served a very useful purpose, since it brought vividly before the people facts which had been forgotten and cleared up many misconceptions on both sides of the case. On December 1, 1930, six of the seven justices again presented an adverse report on the Billings petition, and to a considerably greater length than in their report of five months before.

Near the close of the hearings before the Supreme Court justices, Mr. Frank P. Walsh and Mr. Cyrus B. King, attorneys for Thomas J. Mooney, requested Lieutenant Governor Carnahan, as chairman of the Advisory Pardon Board, and myself, to call John McDonald before the Pardon Board in order that his testimony might be secured before he departed for his home in Baltimore. This request was granted, and on August 2, 1930, McDonald testified before the board and myself at the State Capitol in Sacramento in the presence of the attorneys for both Billings and Mooney. The examination was largely conducted by the Lieutenant Governor, but all of the attorneys were permitted to take whatever part, and bring out whatever facts, they might desire. A full transcript of the hearing was also taken and preserved.

At the close of this hearing, in view of Mr. Walsh's contemplated departure for the East, an agreement was entered into between himself, Mr. King, and the chairman of the Pardon Board that further consideration of the Mooney application by the board should be deferred until after the decision in the Billings case. It was understood that after the justices had rendered this decision, the Pardon Board would hear any further evidence which Mooney's attorneys might wish to present on his behalf, and that meanwhile no consideration would be given by the board, either to the record then before it, or to the additional record in the Billings case.

On October 22, 1930, while the case was still in the hands of the Supreme Court justices, Mr. Cyrus B. King, who with Mr. Frank P. Walsh is attorney for Mooney, appeared before the chairman of the Advisory Pardon Board, Lieutenant Governor

Carnahan, and myself, to ask if, after the decision was rendered with respect to Billings, a hearing would be granted on the separate petition of Mooney, in which they might bring forward facts not presented in the recent case of Billings. Recognizing the fairness of this request, we readily gave the desired permission, as is shown in the following letter from Mr. King, which he sent me on October 25th as a memorandum of our interview:

"October 25, 1930.

*His Excellency C. C. Young,
Governor of the State of California,
Sacramento, California.*

Dear Sir:

Following our conference last Wednesday, I wrote Mr. Walsh, advising him of the points upon which we had agreed, so that he may be guided in his future activities in the Mooney case by these agreements.

So that there may be no possibility of a misunderstanding which might prejudice our rights, I list herein the points which I mentioned to Mr. Walsh. If I am incorrect in any of my conclusions or if you understood any of the agreements differently, I would greatly appreciate your so advising me at your earliest convenience, so that I may communicate to Mr. Walsh our true understandings in the matter.

The points which I advised Mr. Walsh we had agreed upon are as follows:

1. Neither you nor the Pardon Board have given any extensive consideration to the renewed application of Thomas Mooney and will not do so until after the decision by the Supreme Court in the Billings matter.

2. The members of the Pardon Board have ordered copies of the transcript of the Billings hearing for their use.

3. After the decision by the Supreme Court we are to have a hearing before you and the Pardon Board to present such new matter or such arguments as may be deemed relevant.

4. I am to present to Lieutenant Governor Carnahan and the members of the Advisory Pardon Board in writing our arguments in favor of the hearing of Mooney as a witness in his own behalf.

5. The only contingency that may prevent a decision on the application by yourself and the present Pardon Board would be a decision on the Billings matter by the Supreme Court too late in the year to enable us to present such matters as are deemed necessary for a full and complete hearing before yourself and the board.

6. We are to have the opportunity to present a brief in support of the application after the decision in the Billings matter by the Supreme Court.

I am sending a copy of this letter to Lieutenant Governor Carnahan, as some of the points involved concern the Advisory Pardon Board.

May I take this opportunity of thanking you for the interview accorded me last Wednesday, and for the courteous manner in which I was treated by both you and the Lieutenant Governor.

Very respectfully yours,

(Signed)

CYRUS B. KING."

On December 1st, the day the report was issued by the Supreme Court justices, Mr. King wired me, stating that he expected Mr. Walsh to arrive in California about December 15th, and asking that the hearing agreed upon might take place shortly after that date. I immediately transmitted this message to Lieutenant Governor Carnahan and wired Mr. King to that effect. Mr. Carnahan on December 5th wrote to Mr. King, acknowledging this telegram, and concluding with a request that he be at once advised as to the latter's wishes in the matter. "So that if you desire to take the matter up during December, I will have time to give the members reasonable notice of the date of hearing." Not having received any word from Mr. King in response to this letter, several days before the December meeting of the board the board's secretary wired him to inform him as to the date and place of the meeting.

Mr. King appeared at this meeting of the Advisory Pardon Board, and requested that certain matters hereinafter noted be placed in the record of proceedings upon the renewed application of Mooney.

He called to the attention of the board the fact that during the proceedings before the justices of the Supreme Court in the Billings case, John McDonald appeared as a witness before the justices; that, at the request of counsel for Mooney, the Governor and the members of the Pardon Board met in Sacramento on the second day of August, 1930, for the purpose of hearing McDonald's testimony in regard to the Mooney application; that at the conclusion of that testimony it was agreed by the Governor, the chairman of the board and Mooney's counsel that no further action should be taken by the Pardon Board in regard to the Mooney application until the justices of the Supreme Court had rendered their opinion on the Billings case; that sometime thereafter counsel for Mooney filed with the Governor and the members of the board a petition that Mooney be heard as a witness in his own behalf.

Mr. King further recited the facts already mentioned; namely, that the opinion of the justices was made public on December 1, 1930; that he immediately wired

the Governor and the chairman of the board asking them to grant a hearing about December 15th, when Mr. Walsh was expected to arrive in California; that the Governor at once replied that he had referred the matter to the chairman, Lieutenant Governor Carnahan; that the chairman asked that he be advised if there was a desire to take the matter up during December, in order that the board members might have reasonable notice of a hearing; that the counsel for Mooney, recognizing the fact that there was but a short time remaining before certain members of the board retired from office, did not press their application for a hearing before the present board.

Because of these facts, Mr. King requested that the board report to the Governor that except for hearing McDonald's testimony it had taken no action upon the application of Mooney, nor upon the petition to have him heard as a witness; and further requested that the entire matter, together with the transcript of McDonald's testimony and other records, be referred back to the Governor without recommendation.

Accordingly, except for the thoroughly unsatisfactory testimony of McDonald, and subsequently the justices' recent report on the Billings case, there has been nothing brought before me in this matter since July 8th, when in the case of Thomas J. Mooney I rendered my decision as printed above, denying a pardon. I have therefore manifestly no grounds for altering that decision.

Respectfully submitted.

January 5, 1931.

C. C. YOUNG, Governor.

APPENDIX.

PARDON.

Frank Gleichauf was convicted of the crime of murder, first degree, and was sentenced on the twenty-seventh day of October, 1886, by the superior court in and for the City and County of San Francisco, Hon. D. J. Murphy, Judge, presiding, to be imprisoned for life at the State Prison at San Quentin, where he was received on October 31, 1886, and given No. 12302. After serving some twenty-two years of his term, he was paroled September 8, 1908. Subsequently he violated the terms of his parole and was returned to San Quentin September 7, 1911. Nearly a year later he was paroled a second time, on September 1, 1912, which second parole has continued in full force and effect up to the present time. His age is some seventy years.

I have recently received an application from Frank Gleichauf asking that executive clemency be exercised by me in his behalf. I referred the matter to the Advisory Pardon Board for consideration, and that board, after a thorough and exhaustive study of the case, recommended to me "that executive clemency be granted."

A review of the facts and attendant circumstances is necessary to a complete understanding of this case. The records in the case were destroyed in the San Francisco fire of 1906, and it is necessary to set forth at length certain statements by Judge D. J. Murphy, who presided at the trial, contained in a letter from him to the State Board of Prison Directors at the time of Gleichauf's first parole:

"The main circumstances, as I remember them, and which have been recalled by the statement of General Solomon, who defended him, are as follows: Said prisoner was employed in the Chicago Brewery in this city. On the fourth of July, I think it was, the employees of said brewery, among whom was the deceased, Richter, who was foreman in the brewery, were celebrating the brewing of steam beer for the first time. They were all drinking freely and became affected by their potations. While in this condition a quarrel arose between the deceased and prisoner, in which the deceased used harsh and insulting language to the prisoner. I remember that there was evidence that the prisoner went to his room and that the deceased followed him, continuing the use of abusive language. Soon after the prisoner went down to the brewery proper, having put his pistol in his pocket, and, I think, went to work. The quarrel was renewed by the deceased using other offensive language, and a scuffle took place between them. It was claimed at the trial that the deceased was in the habit of carrying a knife, but my recollection is there was no evidence that he drew such knife on that occasion.

During the scuffle the prisoner drew his pistol and fired the shot which caused the death of the deceased. As I now recollect the prisoner proved a good character, and that he had never been in trouble before.

Such are briefly the facts as I remember them. I remember very well saying to the district attorney and to the prisoner's counsel that I would have been better satisfied if the verdict had been for a lesser degree, as then I would be able to fix the term of imprisonment; and I now believe that I would not have fixed the term for more than fifteen or twenty years.

If my memory serves me, at the time of the homicide there were a great many acts of serious violence being committed in our city, and courts and juries felt called upon to do what they could to restore peace and order; and this might, I don't say it did, have helped cause the severe verdict.

The prisoner having served twenty years of imprisonment, and during that term having behaved himself, and having earned the good opinion of the officers of the prison, as I am informed, and having been of previous good

character, I cheerfully join in his request for a parole, and recommend that the same be granted."

There was at this time on file in the warden's office at San Quentin a certificate of conduct, as follows:

"His conduct at all times has been most exemplary and entitles him to the maximum percentage of credits as required by Parole Rule No. 1."

The circumstances attendant upon Gleichauf's violation of his first parole are best explained by the statements of his attorney, Sylvester J. McAtee of San Francisco, to the Advisory Pardon Board. They are as follows:

"Upon his parole in 1908, Gleichauf was given employment by one John Strom at Jackson, Amador County, where he worked for one and one-half years. * * * There was employed with him a man of French nationality. * * * This other man resented the action of Gleichauf in calling his attention to an obvious neglect of duty in a minor particular. Thereupon, this other man, who knew that Gleichauf was a paroled prisoner, called Gleichauf vile and indecent names, particularly referring to his nationality and to the fact that he was a paroled prisoner. A quarrel ensued, ending in a fight when the other man made an attack upon him. In the encounter the other man was injured by a blow on the head, and immediately thereafter sought vengeance by declaring that he would have Gleichauf arrested and returned to State prison. Gleichauf in a panic at the prospect of returning to prison, and knowing this disadvantage due to the fact that he was a convicted murderer upon parole, did the unwise thing of leaving Jackson, Amador County, and failed thereafter to report to the Parole Office as he was required to do. Thereafter, he went successively to Los Angeles, to the San Francisco Bay district, and later to the state of Oregon, where he was arrested and returned to San Quentin Prison as a parole violator for failing to report as required in September, 1911."

Gleichauf's attorney assures me that the following is a statement as to his employment since his second parole:

"Since parole, he has been employed as janitor by Famous Players Lasky Corporation, 201 Golden Gate avenue, San Francisco, California, Herman Wobber, manager, since January 9, 1922. Prior to that time, and since parole, he was employed for six months at the Jewish Home on Silver Avenue in San Francisco, and prior to that time was employed variously as stableman, watchman and general laborer."

It has been my settled policy that a parole should normally precede a pardon, and that, before an applicant should merit a restoration of citizenship and civil rights, a reasonable length of time after final discharge must elapse for him to demonstrate, with the conditions and restrictions of parole no longer compelling him to observe a course of proper conduct as the price of his freedom from prison restraint, that he is honestly and sincerely endeavoring to rehabilitate himself and lead a useful and law-abiding life.

Obviously this policy can not be followed in those cases where life sentence was imposed prior to the enactment of the indeterminate sentence law, as there can be no expiration of parole and no final discharge.

I have concluded, therefore, that in such cases at least ten years on parole should be served before consideration should be given to an application for restoration of citizenship. After that time, if the applicant can show, as in this case, that he has been honest, industrious and loyal in the performance of his duties, and that he has inspired the confidence and respect of his employers and others with whom he has been in daily association, I believe he is entitled to consideration at the hands of the State and that he should be afforded the opportunity of regaining his position in society as a free man.

Gleichauf has met all of these requirements, and, for more than sixteen years, has labored patiently and industriously in the hope of recognition and help.

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of said State, and in consideration of the fact that for nearly twenty-two years Gleichauf paid the penalty for his crime in prison; that his conduct during that period was exemplary; that for the past sixteen years, while on parole, he has demonstrated that he intends to live a peaceful, industrious and law-abiding life, and is, therefore, entitled to such recognition and help from the State as may be given him by the granting of this pardon, and in view of the recommendations of the Advisory Pardon Board and others hereinbefore referred to, do hereby pardon Frank Gleichauf of the crime of murder, first degree.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-ninth day of January, 1929.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

By FRANK H. CORY, Deputy.

REPRIEVE.

I am today granting a two-months' reprieve in the case of Allen Ellis, now in San Quentin, and sentenced for execution tomorrow. This was a particularly atrocious murder where three boys of about eighteen years of age held up for purposes of robbery the hard-working head of a family and father of four small children. Upon his refusal to halt, Ellis shot and killed him.

The age of the defendant was the only issue before the jury and is the only question before me now. A California law, enacted in 1921, provides that capital punishment shall not be imposed for a crime committed by any one under the age of eighteen. The prosecution contends that, at the time of the murder, Ellis was nine days past his eighteenth birthday. Until after he was arrested for this murder, every statement made by him and his parents respecting his age was to this effect. Subsequently, at the trial and ever since, they have insisted he was one year younger.

Since the trial there has been found the woman who attended the mother of Ellis at the time of his birth, and who makes affidavit to the fact that he is one year younger than was apparently shown by the evidence. The judge who presided at the trial and the district attorney discredit this affidavit, which is very probably colored by friendship for the family. The attorney for Ellis, however, believes that the facts set forth in the affidavit may be substantiated if time is given for that purpose.

The principal reason, however, which leads me to grant this reprieve is the fact that, owing to my being occupied every day and evening with work incident to the legislative session, I have not been able to give the time to a study of this case which its importance should require. In every other capital case I have read the transcript of testimony, often two or three times, together with all other material which may have been accumulated relating to the case. In the present instance I have not done this, and I feel unwilling that the judgment of the law should be carried out until I have made my usual study. I can not find time for this study until after the strenuous days of the bill-signing period are over, and I have accordingly granted a longer reprieve than I would under ordinary circumstances.

During this time I trust that the facts regarding this question of age may be thoroughly established. As in all such cases, after a trial, I must assume that the burden of proof rests with the defense, but I desire to give full opportunity to establish whatever facts may be adduced. Meanwhile, as said above, I would repeat that this crime was an atrocious one, and deserves no mitigation of punishment unless it can be clearly shown that Ellis actually comes under the eighteen-year law.

Accordingly, to give myself adequate time for a more thorough study of the case, and also to afford to the defense opportunity for making a more conclusive showing as to this question of age than has yet been brought forward, I am granting a reprieve until July 19, 1929.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this tenth day of May, 1929.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION.

In the case of Allen Ellis, now in San Quentin and sentenced for execution on Friday, July 19, 1929, I am hereby commuting the sentence of death to imprisonment for life without parole. On May 16th last I issued a two-months' reprieve in this case, in order that I might have opportunity for further studying it; and in the interim I have devoted a great deal of time to that study.

As to the crime itself there are no extenuating circumstances, unless the youth of the defendant and the effect of association with two other bad boys may be considered such. The three boys, all residents of Sanger, Fresno County, had for a number of weeks been engaged in a career of petty banditry which finally, on June 13, 1928, resulted in the unprovoked murder of Francis O. Weisert, a citizen of Fresno, who was returning home after an evening of overtime work in the place of his employment.

Ellis, together with Bill Krieger and Lowell Davis, about ten o'clock in the evening, had seen their victim alight from a street car, and determined to hold him up. Ellis and Davis got out of the automobile in which the three were riding, while Krieger drove around the block to be ready to pick up the others after the robbery had been accomplished. Ellis demanded that Weisert throw up his hands and, upon his refusal, shot him twice, one bullet entering the back and inflicting a fatal wound.

In the eyes of the law, all three boys, of course, were equally culpable. Davis pleaded guilty and was sentenced to life imprisonment. Krieger, undoubtedly the ringleader, stood trial; but probably due to the fact that his father was in San Quentin and his mother in a hospital for the insane, he too was recommended by the jury for life imprisonment. Ellis, who fired the shot with a pistol he had procured from Krieger, was sentenced to be hanged, although he was the youngest of the three.

As a matter of fact, the entire defense of Ellis centered upon the question of his age, since the three boys all confessed, and there was no doubt concerning the facts

of the murder. According to a California law, enacted in 1921, no one can be hanged for a crime committed before he is eighteen years of age; and the question in this case is whether Ellis was or was not eighteen on June 13, 1928, the night when the shooting took place. Both prosecution and defense agreed upon June 4th as the day of his birth; but the prosecution fixed upon 1910 as the year when he was born, which would make him just nine days over eighteen years old when the crime was committed. The defense, on the other hand, claimed that the year of birth was 1911 instead of 1910, and that the defendant was only seventeen years and nine days old at the time of the murder.

At the trial the prosecution made a very good case in proof of its contention that Ellis had passed his eighteenth birthday. It seems that no vital statistics had been kept in the Missouri county where the defendant was born; but in Texas, where the family afterward moved, he was enrolled in the public schools with the day and year of his birth stated as June 4, 1910. This date was given on an enrolled blank purported to be signed in 1923 by A. R. Ellis, his father; and subsequently, in 1926, on another enrollment blank from data furnished by the boy himself. Moreover, on another school census blank signed by the mother in Sanger, Fresno County, in 1927, Goldie Ellis, the sister of Allen Ellis, is registered as having been born February 22, 1911. This, of course, would have made it impossible for the brother to have been born on June 4th of the same year, and helped the prosecution establish the birth year of Allen Ellis as 1910. Finally, it was shown at the trial that immediately upon his arrest the boy asserted that he was eighteen years of age.

To offset this evidence on the part of the prosecution, the defense produced no direct testimony except that of the mother and the father. The former testified that she had seven children, one, Ethel, by a former marriage, born 1896; and six children of A. R. Ellis, with years of birth as follows: John, 1902; May, 1905; Zella, 1907; Allen, 1911; Goldie, 1913; and Dorothy, 1916; giving the birthdays of Allen and Goldie as June 4, 1911, and February 22, 1913, respectively, instead of 1910 and 1911 as shown by the prosecution. She further declared that she had not signed the school registration card giving 1911 as the year of Goldie's birth. She also stated that upon the birth of Allen no one was present except her husband and a neighbor, Sarah Butler, who acted as midwife.

A. R. Ellis, the father, testified that Allen Ellis was seventeen years old, having been born June 4, 1911. He denied having signed any school card in Texas, and in fact showed that he was unable to write. He attempted to explain that upon coming to Texas he had been prevailed upon to give the ages of Allen and Goldie as one year older than they were, in order that Goldie might come within the legal age limit, thus providing sufficient pupils to organize a little country school district where they first resided. This testimony was offered by the defense attorney but was ruled out by the court.

Allen Ellis testified that when arrested he had said he was eighteen years old, since that was the age he had been giving in order to be permitted to play pool at the Sanger pool hall without violating a local ordinance. He showed that he had presented a written certificate to the proprietor of the pool hall, stating his age as eighteen. He denied that he had given the year of his birth as 1910 in the Texas school enrollment, although Miss Goldberg, secretary to the superintendent, afterward reiterated that such was the fact.

Taken as a whole, the evidence at the trial respecting the age of Allen Ellis was distinctly in favor of the contention of the prosecution. The only direct testimony showing the later year of birth was given by the parents; and under the circumstances, with the life of their son at stake, they could hardly have been expected to testify otherwise. Certainly such testimony could not outweigh the documentary evidence to the contrary; and no criticism whatever can be directed toward the verdict of the jury, or the certainty on the part of judge and district attorney that Allen Ellis was nine days beyond his eighteenth birthday when the murder was committed.

Although nine days may seem a small margin in determining a question of capital punishment, in view of the provisions of the law and the atrocity of the crime I do not believe I could have interfered with the execution of this sentence, had subsequent investigations not brought to light new evidence which I feel satisfied, if it had been previously discovered and produced at the trial, must of necessity have influenced the verdict of the jury. This new evidence is in the form of letters and affidavits; but I shall consider only the latter, as the nearest approach to sworn testimony which can be offered at this time. I have selected and arranged these affidavits from the mass of unorganized material which has been sent in to me, and believe that when considered as a whole their weight must be recognized.

The first, from the father, A. R. Ellis, would probably be discounted for the reasons given respecting his direct testimony, except as it relates to matters he was not permitted to testify to.

"A. R. Ellis, being first duly sworn, deposes and says: That he is the father of Allen Ellis, San Quentin, No. 45798, who was convicted of murder in the first degree on the twenty-sixth day of July, 1928, in the county of Fresno, State of California. That the said Allen Ellis was born on June 4, 1911, on a farm belonging to John Oliver near Mountain Grove, Missouri; that the only persons

present at the birth of Allen Ellis, besides himself and his wife, was a Mrs. Sarah Butler, who acted as midwife.

That in 1918, he moved to Texas, near the town of Marshall. That their first home was in a negro settlement and that there was no school in that district. The school authorities came to his home and told him that they were desirous of forming a school in the district; that his daughter was not old enough to go to school at that time; that the school authorities suggested raising her age one year and raising his son Allen's age one year, so that they could increase the enrollment of the school; that the school was subsequently formed and Allen's birth date was put down by the school authorities as June 4th, 1910, when in truth and in fact, said birth date was June 4th, 1911.

That he endeavored to tell the above facts in the court at the time of the trial of the People of the State of California vs. Allen Ellis, in the county of Fresno, State of California, but that on objection of the district attorney the court refused to allow him to tell them.

(Signed)

A. R. ELLIS (X)
(His Mark.)

Subscribed and sworn to before me this 23d day of March, 1929.

(Signed) WILLIAM A. WHITE.

Notary Public in and for said County and State."

The second affidavit, corroborative of the first, is from one living in the school district referred to above:

"Mrs. Pearl Williams, being first duly sworn on oath, deposes and says:

That she lived in or near Marshall, Texas, during the years 1918 to 1923, inclusive; that she knew Mr. and Mrs. A. R. Ellis who lived in or near Marshall, Texas, during that period; that she knew Allen Ellis, son of Mr. and Mrs. A. R. Ellis, and Goldie Ellis, the daughter of Mr. and Mrs. A. R. Ellis; that she knows that when said Allen Ellis and said Goldie Ellis started to school in Texas, that the age of both Allen Ellis and Goldie Ellis was raised one year in order that the said Goldie Ellis might attend school; that they first attended the school near Marshall, Texas, and said affiant lived near said school at that time.

(Signed)

MRS. PEARL WILLIAMS.

Subscribed and sworn to before me this 6th day of April, 1929.

(Signed) MRS. MARY SHEARRON.

Notary Public in and for said County and State."

The third affidavit is by Robert Gaddis, who lived near the Ellis family in Missouri, and who has also written two very strong letters concerning the age of Allen Ellis:

"Robert Gaddis, being first duly sworn, deposes and says:

That he is a resident of the state of Missouri, and during the years 1910 and 1911 resided near Mountain Grove, Missouri; that he was acquainted with the family of A. R. Ellis, who resided on the John Oliver farm near Mountain Grove, Missouri, in 1910 and 1911; that affiant knows that in the summer of 1911, a boy was born to the wife of A. R. Ellis, and that Mrs. Sarah Butler acted as midwife for Mrs. Ellis at that time; that affiant talked to Mrs. Sarah Butler shortly after the birth of this boy; that affiant later ascertained that the boy was named Allen.

Affiant further states that in March, 1910, he had a son born; that his boy and the boy named Allen Ellis grew up together, and he saw the boy named Allen Ellis as he was going to school; that affiant states that his boy was one year older than Allen Ellis and that his boy was eighteen in March, 1928.

(Signed)

ROBERT GADDIS.

Subscribed and sworn to before me this 20th day of March, 1929.

(Signed) V. R. BLAKENSHIP, Notary Public."

The fourth affidavit is by a Mrs. Julia Sullens, sister of Sarah Butler (now Sarah Bradfield), who acted as midwife at the birth of Allen Ellis and of his sister, Goldie:

"Mrs. Julia Sullens, of lawful age, being first duly sworn, upon her oath deposes and says: That she is now 53 years of age; that she has resided in Wright County, Missouri, her entire life.

That during the year 1911 she resided within about one mile of A. R. Ellis and wife, in Wright County, Mo.; that during said year 1911 the wife of said A. R. Ellis gave birth to a son, the exact date she does not now remember; that she is a sister of one Sarah Butler who was at that time a resident of the same neighborhood of this affiant and the family of said A. R. Ellis; that her said sister, Sarah Butler, informed her, the next day after the birth of said child, that she, the said Sarah Butler, had been present at the birth of said child, and acted as midwife.

Affiant further states that she is able to fix the year of the birth of said child by reason of the fact that she gave birth to a child in the spring of the year 1910, and she positively knows that said child was born the year following the birth of her own child.

Affiant further states that she resided in the same neighborhood as the family of said A. R. Ellis for at least one year after the birth of the child aforesaid, and that the child was called and went by the name of Allen Ellis.

JULIA SULLENS (X)
(Her Mark.)

Witness to mark, J. B. Sullivant.

Subscribed and sworn to before me this 20th day of March, 1929.

(Signed) V. R. BLANKENSHIP, Notary."

The fifth affidavit is a very important one. The testimony at the trial showed that one Sarah Butler, a neighbor of the Ellis family, was, besides the parents, the only one present at the birth of Allen Ellis. The prosecution sent an investigator to Missouri to interview Mrs. Butler, but no trace of her could be found, and the search was abandoned. It afterward appeared that she could not be located, owing to the fact that, unknown to the prosecution or to the Ellis family, her husband had died and she had remarried, and as Sarah Bradfield she had removed to Oklahoma.

"Sarah Bradfield, being first duly sworn, deposes and says:

That her name was formerly Sarah Butler; that during the year 1911 she lived in Wright County, Missouri; that during that year she acted as midwife for several women in that locality;

That during the year 1911 she knew the family of A. R. Ellis, living near Mountain Grove, Missouri; that on June 4, 1911, she attended Mrs. A. R. Ellis as midwife; that on that date a boy was born to Mrs. Ellis, who was later named Allen Ellis;

Affiant further states that she recalls the date of June 4, 1911, as the birth date of said Allen Ellis by reason of the fact that she herself was pregnant at that time; that on December 29, 1911, a child was born to her;

Affiant further states that if called upon to do so that she will testify in any court to any and all of the above facts.

(Signed)

SARAH BRADFIELD.

Subscribed and sworn to before me, this 15th day of March, 1929.

(Signed) E. F. DIXON, Notary Public."

The sixth affidavit concerns the reputation of Sarah Bradfield for truth, honesty and integrity.

"Mrs. Frank Dunn, being first duly sworn, deposes and says:

That I am a resident of Sand Springs, Oklahoma; that I have known Mrs. Sarah Bradfield for four years; that I am acquainted in the community in which she lives, and that I know her reputation in the community in which she lives.

That the reputation of the said Sarah Bradfield in the community in which she lives for truth, honesty and integrity is very good.

(Signed)

MRS. FRANK DUNN.

Subscribed and sworn to before me, this 15th day of March, 1929.

(Signed) E. F. DIXON, Notary Public."

The next series of affidavits has to do with the age of Goldie Ellis, who, as already shown, would have been born within three and a half months of her brother, Allen, had his birth date been June 4, 1911, as contended by the defense, and hers February 22, 1911, as shown by the Sanger school records. The prosecution naturally made much of this fact and, accepting the school record as true, showed that under this assumption Allen Ellis could not have been born in 1911, and therefore argued this fact as corroborative of the date of June 4, 1910.

This very argument of the prosecution has given me more concern than any other single element in the testimony since, by the very dates shown in the trial, only eight and one-half months would have elapsed between the births of Allen and Goldie. This might have been barely possible, but very improbable, particularly in view of the fact, as already shown by testimony of Mrs. Ellis, that her other children were born at intervals of two or three years. Accordingly, the fixing of the birth of Goldie Ellis in 1913 would make possible the contention of the defense that Allen Ellis was born in 1911. This probably explains the large number of affidavits presented to prove this date of the sister's birth.

The first of these is affidavit number seven, also by Mrs. Bradfield:

"Mrs. Sarah Bradfield, being first duly sworn on oath deposes and says:

That during the years 1910, 1911, 1912 and 1913, she lived near the town of Mountain Grove, Wright County, Missouri. During said time she knew the family of A. R. Ellis. That during said years, she acted as midwife for various people in that locality, including Mrs. A. R. Ellis; that on the twenty-second day of February, 1913, she attended Mrs. Ellis as a midwife and on that

day, a daughter was born to Mrs. A. R. Ellis; that said daughter was later named Goldie; that during the years she lived at Mountain Grove, her name was Sarah Butler; that since that time, she has remarried and her name is now Sarah Bradfield.

(Signed)

SARAH BRADFIELD.

Subscribed and sworn to before me this twenty-ninth day of April, 1929.

(Signed) E. F. DIXON, Notary Public."

The eighth affidavit is by Ethel Clark, the half-sister of Goldie Ellis, who fixes the year as the same as that of her marriage:

"Ethel Clark, being first duly sworn, deposes and says:

That she is a sister of Goldie Ellis and a daughter of Mr. and Mrs. A. R. Ellis. That she lived with her parents in Wright County, Missouri, in the year 1913, at the time of the birth of said Goldie Ellis; that the said Goldie Ellis was born on the twenty-second day of February in the year 1913.

That affiant recalls the birth date of her sister, Goldie Ellis, as being in the year 1913, because of the fact that affiant was married to Leonard Clark in that same year.

(Signed)

ETHEL CLARK.

Subscribed and sworn to before me this sixth day of April, 1929.

(Signed) WILLIAM A. WHITE, Notary Public."

The ninth is by Leonard Clark, husband of this half-sister, who fixes the very date by an event in his own life:

"Leonard Clark, being first duly sworn, deposes and says:

That he is the husband of Ethel Clark, and brother-in-law of Goldie Ellis.

That he lived in Wright County, Missouri, in the year 1913 and that he knows that Goldie Ellis was born on the twenty-second day of February, 1913.

Affiant particularly recalls the said birth date of Goldie Ellis, because of the fact that he was baptized in the church on said twenty-second day of February, 1913, at Mountain Grove, Missouri.

Affiant further recalls the fact that Goldie Ellis was born on February 22, 1913, because of the fact that he was married to Ethel Bell, sister of said Goldie Ellis, in the year 1913.

(Signed)

LEONARD CLARK.

Subscribed and sworn to before me this sixth day of April, 1929.

(Signed) WILLIAM A. WHITE, Notary Public."

The tenth affidavit is by E. C. Deering, superintendent of public schools of Marshall, Texas, where the Ellis family resided for a number of years before coming to California. This affidavit would apparently largely counteract the evidence presented by the Sanger school registration certificate.

"E. C. Deering, having presented himself, declares that he is superintendent of the Marshall public schools of Marshall, Texas, and that Goldie Ellis and Dorothy Nevada Ellis were enrolled in the Marshall public schools and that their enrollment cards contain the following information:

Pupil, Ellis, Dorothy Nevada. Date of birth, July 21, 1916. Name of father, A. R. Ellis. Name of mother, Della Ellis. Parents' address, Standpipe road (Route 4, later changed to 3). Town, Marshall. School assignment, R. E. Lee, later changed to West, later changed to Van Zandt. Date, September 14, 1925. Rubber stamp signature of E. C. Deering, superintendent.

Pupil, Ellis, Goldie. Date of birth, February 22, 1913. Name of father, A. R. Ellis. Name of mother, Della Ellis. Parents' address, route 3. Town, Marshall. School assignment, West, later changed to Van Zandt. Date, December 14, 1925. Rubber stamp signature of E. C. Deering, superintendent.

He further declares that he gave the original enrollment card of Goldie Ellis and Dorothy Nevada Ellis to Mr. Jesse Flowers on the twenty-ninth day of August, 1928 A. D.

(Signed)

E. C. DEERING.

Subscribed and sworn to before me this twenty-ninth day of August, 1928, A. D.

(Signed) ROSE GOLDBERG, Notary Public in and for Harrison County."

These last four affidavits, together with a number not here given, would seem to indicate a strong possibility that Goldie Ellis was born in 1913. Although this would, of course, not fix her brother's year of birth as 1911, any more than 1910, it would at least remove the strong argument at the trial that Allen Ellis could not have been born in June, 1911, since his sister was born in February of the same year.

I am fully aware that these and the other affidavits presented to me, together with the dozen or more supporting letters from the same sources, carry no such weight as actual evidence in a trial, where cross-examination might very possibly break down the effect of the testimony. It is also very probable that one or more

of them might have been made through sympathy for the Ellis family, and hence would be of little value. It is, of course, understood that all these affidavits have been produced since the time of the trial and too late to have been considered by the jury. I can not believe, however, that when taken together they can be utterly disregarded, or would not have produced some effect on the minds of a jury.

In view of the atrocious nature of this murder and the necessity of sternly suppressing such acts of banditry as these boys committed, I do not find it easy to grant this commutation. I feel that very severe punishment should be meted out to Allen Ellis, despite the fact that the extreme penalty was not given to his two older companions, one of whom, at least, was more hardened than himself. I am further moved by the fact that the jury, the judge, and the district attorney, all believed in the wisdom and justice of the death penalty in this case.

I am not moved as much as some others may be by the fact that had the crime been committed ten days earlier the death penalty could not have been invoked; for, in view of the different degrees of mentality of individuals at any given age, I am not sure that this law of 1921 is a wise one. Nevertheless, it is the law, and in view of the law I can not take the responsibility of permitting this boy to hang if there is a reasonable possibility that he was only a few days more than seventeen years old at the time of his crime. The affidavits are not an absolute proof of this, for like any similar affidavits they are open to question. However, they do present to my mind a reasonable possibility of truth, and hence I have no other alternative than to grant this commutation.

In any case where capital punishment is deserved, as it certainly is in this case, except for consideration of age, I believe that the alternative should consist of the next severest form of punishment. I feel confident that the strongest argument for capital punishment is the fact that life imprisonment too often carries with it the possibility of parole in a comparatively few years, and that the deterrent effect of punishment for crime is thereby lost. Accordingly, as I have done in two previous cases, I am granting this commutation with the provision that Ellis spend the remainder of his life in prison where he may never again become a menace to society.

Now, therefore, I, C. C. Young, Governor of the State of California, do hereby commute the sentence of death imposed upon Allen Ellis in the superior court of the State of California in and for the county of Fresno, upon condition that he be imprisoned during the term of his natural life in the State Prison at San Quentin, without parole.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this seventeenth day of July, 1929.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

PARDON.

There has been presented to me an application for the pardon of John Vidovich who plead guilty to the crime of grand larceny, a felony, and was sentenced on the fourth day of April, 1927, by the superior court in and for the county of Los Angeles, Hon. Albert Lee Stephens, judge, presiding, to be imprisoned in the State Prison at San Quentin for an indeterminate term of one to ten years. He was received at the State Prison at San Quentin on April 9, 1927, and given number 43478. Thereafter, on April 28, 1928, the State Board of Prison Directors fixed his sentence at three years and he was paroled the same day. With the application of good-time credits, his parole expired and he was discharged on the ninth day of the current month.

Vidovich was born in Komiza, Island of Lissac, Jugoslavia, about thirty-four years ago and came to this country at the age of 19. He resided in the United States continuously for ten years and, some time during the year 1922 he obtained permission to go to Europe and married a girl there in his native town. He returned to the United States within the necessary time and his wife followed as soon as the quota law permitted. Two children have been born here since and I understand that a third is soon expected.

Unless pardoned, Vidovich is therefore subject to deportation under the provisions of section 4289½ (j. j.) United States Compiled Statutes, which reads, in part, as follows:

"* * * except as herein provided, any alien who is hereafter sentenced to imprisonment for a term of one year or more because of conviction in this country, of a crime involving moral turpitude committed within five years after entry of the alien to the United States, or who is hereafter sentenced more than once to such term of imprisonment because of conviction in this country of any crime involving moral turpitude, shall upon the warrant of the Secretary of Labor, be taken into custody and deported. * * * provided further that the provision of this section respecting deportation of aliens convicted of a crime involving moral turpitude shall not apply to one who has been pardoned."

Pursuant to the foregoing and the provisions of General Order No. 96, U. S. Department of Labor, Bureau of Immigration, Washington, D. C., September 24, 1927, a warrant of deportation was issued under date of October 10, 1928, the execution of which was suspended upon the posting by Vidovich of a bond in the sum of \$1,000. This warrant, in the opinion of the United States Attorney for the southern district of California, will be canceled if the alien is pardoned, and U. S. ex rel Palermo vs. Smith, Director of Immigration, 17 Fed. (2d) 533, is cited as authority. The following excerpt is quoted from that decision:

"That the pardon of an alien's crime is of assistance to him and will prevent deportation only when the crime of which he is pardoned was committed within five years after his entry into this country."

On May 8, 1929, I referred this case to the Advisory Pardon Board for an investigation and recommendations and, under date of July 5, 1928, Lieutenant Governor H. L. Carnahan, chairman of the board, reports as follows:

"The applicant is 34 years old. He is a native of Yugoslavia. He emigrated to the United States in 1914, arriving at New York, and going thence to San Pedro, where he has lived ever since. He received his first citizenship papers in 1923 in Los Angeles.

While at San Pedro he has been a fisherman. He married Miss Katti Kusich, age 18, in 1922. They have two children living and another about to be born. He has always properly supported his family, except while he was in San Quentin, during which period it received some State aid.

He was first arrested about November 19, 1926, on a charge of burglarizing a warehouse at Los Angeles Harbor. This charge was dismissed.

He was again arrested in December, 1926, on a criminal complaint sworn to by Toni Devlahovich, charging that he stole from Devlahovich and George Zuban fishing net and corks worth \$348.50. After a preliminary examination he was held to answer. In the superior court he pleaded guilty and asked for probation. After a report from the probation officer, probation was refused by Judge Albert Lee Stephens.

He served one year and nineteen days in San Quentin and was paroled April 28, 1928. His prison and parole records are good.

December 16, 1926—about a week after he was arrested the second time—Devlahovich sued him for \$900, the alleged value of about 1300 pounds of fish net. The same day George Zuban also sued him for \$160, the alleged value of 700 fish net corks. These nets and corks included the nets and corks mentioned in the criminal complaint upon which he was arrested. Vidovich defaulted in each case, judgments were entered against him, and he paid both in full February 23, 1927.

He denies the criminal charge, and claims that he pleaded guilty to it and failed to contest the civil suits on the advice of his attorney, who assured him that thereby he would secure probation. He also claims that this attorney, and another attorney called in by this attorney, collected from him in these cases fees amounting to about \$4,000. Only a part of the property that he was charged with stealing was found in his possession. It consisted of a part of a four-inch fishing net, commonly used in Washington and Alaska and useless about San Pedro. The piece was worth about \$150. There is no evidence that he ever had any other part of the net or the corks. The maximum crime, if any, of which there is evidence is, therefore, only petit larceny, for which the maximum penalty is six months imprisonment and a \$500 fine.

It appears probable that his arrest was inspired by Devlahovich and Zuban with the purpose to force payment more easily on the amounts they sued for. The attorney's fee charged him is grossly exorbitant. Its amount, plus the seeming indifference of his attorney to his fate after sentence, indicate a mercenary purpose on the part of the attorney to profit by the fright of Vidovich naturally resulting from his general ignorance, and tend to support the claim of Vidovich that he was not properly advised by his counsel, and was improperly induced to plead guilty.

These facts and other circumstances now cause Judge Stephens (who sentenced Vidovich), to doubt the wisdom of his plea of guilty, and now to be of the opinion that he should be pardoned.

Vidovich's business associates and acquaintances report that he is an industrious and hard-working fisherman; that he is a good father; that he is honest in his business affairs; and that otherwise he conducts himself as a good citizen should.

Proceedings by the federal government are pending under United States Compiled Statutes, section 4289 (j. j.) to deport him. This act provides for the deportation after termination of imprisonment of aliens sentenced to imprisonment for a year or more for crimes involving moral turpitude. Vidovich desires specially to avoid this consequence. The act expressly excepts from its effect aliens pardoned for such offenses.

Because the facts above reported indicate:

1. That the crime, if any, of which Vidovich was guilty was petit larceny, an offense that would not subject him to deportation;

2. That if permitted to remain here he will not become an undesirable citizen, and will properly support and care for his family; and

3. That if deported he probably will be unable to maintain his family either here or in Europe, and it will be thrown upon the State for support;

We respectfully advise that he be pardoned."

Attorney General U. S. Webb, a member of the board, concurs in the recommendation, although he does not entirely agree with the views expressed by Mr. Carnahan. His letter, in part, is as follows:

"The application of John Vidovich, San Quentin No. 43478, for executive clemency was heretofore referred to the Advisory Pardon Board and an investigation of this case by it has been made. A report under date of July 5 has been prepared by the secretary of the board and was signed by the chairman of the board and forwarded to this office for approval if found satisfactory. I have examined the record in this case and the report but am not inclined to sign the report because of recitals therein of conclusions which I deem unsupported by the record.

This man served something more than one year at San Quentin, sustaining while there a good record, and was paroled April 28, 1928, and his conduct since then has been good. He has a wife and children and the record supports at least the hope that, if pardoned, hereafter he would take care of them and refrain from a criminal course. Upon these grounds it is my view that a pardon should be granted.

The portion of the report with which I can not agree is framed upon the theory that the defendant was not guilty of the crime to which he pleaded guilty and hence that the judgment was improper. I see nothing in the record to justify such conclusion nor am I at all in sympathy with the thought that, in order to justify executive clemency, doubt and discredit must be thrown upon the judgment or proceedings prior thereto. It is my belief, based upon this record, that the proceedings were regular, that the judgment was properly rendered and that there is nothing to support the intimation that there was or is a miscarriage of justice. I think this man should be pardoned not solely because, after the rendition of a proper judgment his conduct, coupled with his past life, and taken in connection with his domestic relations combined, indicate that the issuance of a pardon may result in advantage to society and to the petitioner.

The innocent against whom judgment of conviction has been rendered should be pardoned, of course, but instances of this character are exceedingly rare. Nothing is more harmful than official intimation or suggestion that the conviction was improper when such is not the fact. I concur in the conclusions reached in the official report of the Advisory Board but not in the reasons given therefor. I am having this letter attached to the formal report to the board."

The district attorney of Los Angeles County, under date of November 26, 1927, writes as follows:

"I wish to submit herewith statement of facts in the above case, pursuant to section 1420 of the Penal Code, which statement appears in the record:

"A summary history of the crime of which the defendant was convicted, and the facts and circumstances of its commission are: Defendant entered a building at San Pedro and took a valuable fish net.

A statement of all other charges pending against the defendant and information as to whether these charges will be prosecuted; all charges that have been dismissed; and whether the defendant is sentenced on a reduced charge, together with the reasons therefor. No other charges pending.

The cause, motive and provocation for the crime were, to realize on the fish net.

My views and recommendations as to length of sentence and granting of a parole in this case are: Trial judge in this case recommended the minimum term of punishment. We know of no reason why we can not concur in this."

It appears that this defendant is an ignorant fisherman, and was advised by his counsel to plead guilty, upon representations that he would probably receive probation. The facts have developed that there was a civil action pending in regard to the fish net, which was the subject of the alleged larceny. Defendant had made civil settlement of the matter prior to the sentence in this case.

It will be noted that the judge recommended the minimum term of imprisonment, which term I am informed has practically elapsed at this time if the usual good time be allowed.

Any disposition of this matter will be satisfactory to this office."

Warden Court Smith of Folsom, another member of the board, writes as follows:

"I thoroughly concur with the letter of Attorney General Webb, and as set forth in his letter believe it advisable to grant a pardon in this instance."

And Warden Jas. B. Holohan of San Quentin, the remaining member, also writes:

"I have gone very carefully through the file of John Vidovich, S. Q. No. 43478, and, under all the circumstances as contained in the file, I feel very favorably toward a pardon being granted to John Vidovich."

The trial judge, Hon. Albert Lee Stephens, on July 8, 1929, wrote:

*"Mr. Lawrence Hall, Care Advisory Pardon Board,
Ninth Floor, Farmers and Merchants Bldg.,
Long Beach, California.*

DEAR MR. HALL: Permit me to advise you that I very clearly recall the case of People vs. John Vidovich, who pleaded guilty in my court to grand larceny. Certain information received by me since his sentence leads me to believe that he was the victim of a sort of conspiracy to get rid of him, and I have very grave doubts as to his ever having been actually guilty of grand larceny. More likely he was guilty of petty larceny.

You have advised me that he will be deported unless he receives a pardon from the Governor, and my information both as to him and his family would lead me to strongly recommend that he be the subject of a pardon.

Yours very truly,

ALS:EMF:G (Signed)

ALBERT LEE STEPHENS."

And the sheriff of Los Angeles County, on November 28, 1927, wrote me:

"Mr. John Vidovich, now serving in San Quentin, with a possible expiration of term December 15, or thereabouts, is applying to you for pardon. While this case was handled by the Police Department of this city, and no record of it being in my office, I know some of the people interested. This office does not oppose the granting of executive clemency, while I, personally, recommend that it be granted."

The assistant probation officer has also expressed himself as strongly in favor of pardon. I quote from his letter to me, dated November 28, 1927:

"It has just been called to my attention that John Vidovich, who pled guilty to a charge of grand larceny, and who was thereafter sentenced to San Quentin, through his friends, has made application for a pardon.

In view of the fact that I was the investigating officer in this matter, and without doubt had an insight to this case that no one else had, I would be glad to recommend at this time that a pardon be granted John Vidovich.

If my report is perused, the following quotation will be found:

'Since my last conversation with the defendant, taking into consideration some of the statements he made, I do not feel that I could make a recommendation without a further investigation. His statements are so in conflict with those made at the preliminary hearing. I would therefore respectfully suggest in the event that the court believes further information should be obtained, that the case be continued for a period of time to give this department time to carry out the investigation.'

It was my plan at that time to check up further on the history of the defendant, and also to endeavor to ascertain whether or not there was a feeling between the fishermen at San Pedro, some wishing to sentence him to prison on one side, and others wishing to obtain his release on probation.

For the information of your honor, will state if I was to make a recommendation at this time, in view of the facts at my disposal, I would recommend probation with the understanding that defendant return to his wife and two children at San Pedro, or be allowed to go to Seattle where he had an opportunity to engage in the fishing business.

I believe that should the Governor pardon John Vidovich that no mistake would be made and the ends of justice would be best subserved thereby."

The attorney for Tony Devlahovich and George Zuban, complainants in the civil action brought against Vidovich to recover the value of the nets and corks, a part of which he was convicted of stealing, writes as follows:

"This will confirm our telephone conversation of this day.

Relative to what I know concerning the above named individual, will say that in December, 1926, I was employed by Tony Devlahovich and George Zuban to bring suit against Vidovich for the value of certain nets and corks, alleged to have been stolen by John Vidovich from the said Devlahovich and Zuban.

I brought two suits in the municipal court, one for Devlahovich and one for Zuban, numbered respectively 32498 and 32497.

As I understand the facts, these nets and corks were stolen from a fishing vessel while she was tied to the dock at San Pedro, and an investigation was made by Officers Fred Wessel and an assistant. As the result of the investigation, a complaint was asked for and obtained against Vidovich, and after his arrest on the charge of burglary, I believe, he employed an attorney by the name of Angelo Baldwin, formerly a deputy city prosecutor. At the preliminary hearing, which was held before the judge at San Pedro, the complaint was dismissed. It was in the stage of the criminal proceeding that Devla-

hovich and Zuban came to me. I advised them that I could not give them any assistance in the matter of the criminal proceedings, but told them that I would be willing to take the case of trying to collect the value of the nets. Hence, the suits hereinbefore referred to.

I also told them, as well as Mr. Wessel and the other officer, that if necessary I would go with all parties to the district attorney's office and try to secure another complaint. This was agreeable, and I did thereupon accompany Zuban, Wessel and Devlahovich to the district attorney's office and Mr. Lিকেley, now Judge Lিকেley of the municipal bench, ordered a complaint issued and thereafter the defendant, Vidovich, was again arrested.

Pending the outcome of this last criminal proceeding, I started the municipal court actions hereinbefore referred to for the recovery of the value of the property stolen. If I remember right, the defendant suffered a default to be taken against him, and thereafter through his counsel, Mr. Baldwin, we effected a compromise and settlement whereby we received, I believe, the sum of \$900 in full settlement of both suits. At this time my clients signed a statement, which was also witnessed by the arresting officers, Wessel and Schubert, stating that they (my clients) had no objection to the proper county officers giving probation to the said John Vidovich.

This summarizes about all I know of the case, but I can say that I believe my clients have no objection to the Governor, or anyone else, taking such action as might be necessary in order to have Vidovich remain in the United States.

At the time of this trouble, of course, my clients felt rather angry toward Vidovich and expressed themselves in a hostile manner toward him, but I feel certain that they would not want to see him deported.

If there is any other or additional information which I can give you, kindly call upon me."

That Vidovich bore a good reputation prior to the time of his arrest is borne out by letters from:

John Lopizich, Bank of Italy, Los Angeles, California.

E. M. Toscanini, Bank of Italy, San Pedro, California.

Robert C. Baly, vice president and cashier, Bank of San Pedro, San Pedro, Cal.

F. E. Booth Co., by O. Weissich, manager, Fisherman's Wharf, San Pedro, Cal.

A. J. Musanti, Gilbert C. Van Camp, agent, Marine, Fire and General Insurance, Municipal Fish Wharf, San Pedro, California.

George Shapro, Great Western Sea Food Co., San Pedro, California.

His conduct in prison and on parole has been beyond reproach, according to the warden and the State Parole Officer, and in addition I have received letters from the following, all testifying to his good character:

Dr. Josephine M. Fernald, D.C., 6636 Hollywood Boulevard, Hollywood, Cal.

Miss Effie M. Diederich, president, Woman's Club of Local 47, American Federation of Musicians, 1417-1419 South Georgia Street, Los Angeles, Cal.

A. J. Musante, Gilbert C. Van Camp, agent, San Pedro, Cal.

G. G. Mullia, Slavic American Citizens' League, 401 Hibernian Building, Los Angeles, Cal.

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of said State, and in consideration of the fact that while on parole he has demonstrated that he intends to live a peaceful, industrious, and law-abiding life and is, therefore, entitled to such recognition and help from the State as may be given him by the granting of this pardon, and in view of the recommendations of the Advisory Pardon Board and others hereinbefore referred to, do hereby pardon John Vidovich of the crime of grand larceny.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of August, 1929.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

By FRANK H. CORY, Deputy.

PARDON.

There has been presented to me an application for the pardon of Edith Marjorie Davidson (nee Truell), who was convicted of the crime of forgery, a felony, and was sentenced on the twenty-seventh day of July, 1926, by the superior court in and for the county of Los Angeles (Hon. Edwin F. Hahn, judge, presiding), to be imprisoned in the State Prison at San Quentin for an indeterminate term of one to fourteen years. She was received at the State Prison at San Quentin on the eleventh day of August, 1926, and given number 42540. Thereafter, on the seventeenth day of September, 1927, she was paroled, and, on the eleventh day of December, 1928, she was given a final discharge.

She plead guilty to four counts of forgery, was granted probation on three, and was sentenced on the remaining count as above noted. On the sixteenth day of July, 1929, she was discharged from probation and the case dismissed.

Carl L. May, supervisor adult probation department, of the superior court, county of Los Angeles, in recommending that the case be dismissed, reported to the court as follows:

*"Hon. Edwin Hahn,
Judge of Superior Court, Dept. No. 13,
Los Angeles, California.*

I would like to call your attention to the fact that on July 27, 1926, subject, Edith Marjorie Truell, was sentenced to San Quentin for the period prescribed by law. It was further ordered by the court after she was released from San Quentin, that she was to report to this office.

On September 22, 1927, she was released from San Quentin and immediately reported to this department, and since that time has reported regularly each month in compliance with the order of the court.

For the further information of your honor, will state that Miss Truell has since married, that her husband is an American citizen and her reformation has been complete.

Due to the fact that she is not a citizen of the United States, there is a movement under way to deport her, which would mean that she would be returned to Canada, incidentally breaking up her home.

At present her father, Newton T. Truell, 938 N. Spalding avenue, is making an appeal to the Governor for an outright pardon, which if granted with a dismissal of this case, would allow said Edith Marjorie Truell to remain in this country with her husband.

It is therefore respectfully recommended in view of the fact that subject has been faithful in her reports since the date of her release from San Quentin and her rehabilitation has been perfected, that the case be dismissed.

Respectfully,
(Signed)

CARL L. MAY,
Supervisor Adult Probation Department."

The father of this young woman, Newton T. Truell, first presented an application for executive clemency to me in her behalf in July, 1927. At that time she had about served the minimum sentence; and, upon investigation, the State Board of Prison Directors found sufficient merit in her case to justify her release on parole and, later, to modify the parole order to prevent deportation and to permit her to marry.

After serving her term in prison and on parole, or at least upon being discharged from probation, she again became subject to deportation. Accordingly, I referred the case to the Advisory Pardon Board somewhat sooner than I would have done had deportation not been imminent. The board has recommended that a pardon be granted. I quote in part from the board's report to me, dated September 9, 1929:

"She is a Canadian, admitted to this country less than five years prior to her conviction, and is therefore subject to deportation unless she is pardoned. Her mother died in 1915. Before coming to California she graduated from high school and attended the University of Quebec for one year. She was employed in the trust department of the Security Trust and Savings Bank of Los Angeles from January 15, 1924, to June 15, 1926.

For some months prior to her arrest she was under the care of a physician for ear and throat trouble, and her doctor bills were heavy. She became engaged to marry O. W. Davidson. In preparing for her marriage she purchased on credit a substantial trousseau. When the bills fell due she could not meet the payments, and in her embarrassment issued the checks upon which she was arrested. Most of the bills have been paid by her father.

Except for this incident her conduct has always been exemplary. Since her release on parole she has married Davidson. He has a good business reputation, and is sales manager of a real estate project called 'Roosevelt Farms.' Her discharge from probation was ordered by Judge Hahn upon the report of Carl L. May, supervisor of the Adult Probation Department of the Superior Court of Los Angeles County that her rehabilitation had been perfected, and that the case should be dismissed.

It is respectfully recommended that a pardon be granted.

Yours very sincerely,

ADVISORY PARDON BOARD.
By H. L. CAENAHAN, Chairman."

More than two years ago at the time the application was first presented to me, the trial judge, Hon. Edwin F. Hahn, wrote as follows:

"June 20, 1927.

*Hon. C. C. Young,
Governor of California,
Sacramento, California.*

MY DEAR GOVERNOR: I have been advised by Newton T. Truell that application is about to be made to you for a pardon for his daughter, Marjorie Truell, who pled guilty in my court on July 27, 1926, to the crime of forgery and upon which plea of guilty I sentenced her to the penitentiary.

I have been requested to write this letter to indicate to you whether or not I was opposed to the granting of this pardon. May I say that I have no opposition in the event that you should decide to grant the petition for a pardon to her.

Yours truly,

(Signed)

EDWIN F. HAHN."

He again wrote me under date of August 9, 1929:

"MY DEAR GOVERNOR: Mr. Truell, the father of one Edith M. Truell, who was convicted in my court of issuing checks without sufficient funds in July of 1926, has recently requested that I indicate to you my attitude with regard to her application for a pardon. Subsequent to her commitment, her father, as well as several of her father's friends, interviewed me with regard to the plan of the federal authorities to deport her to Canada from whence she came. I wrote a letter at that time stating that I had made careful investigation into her character and history at the time she appeared before me, and while I felt, in consideration of the treatment of others appearing in our criminal courts, that I could not grant her probation, I was convinced that she was a woman of good character, and that her check raising had been caused by being unable to resist the temptation to secure clothes and other luxuries. Further I felt that she would benefit by the lesson she had learned, and in my opinion that she would make a good citizen.

I understand the proceeding now before you is motivated by the desire to establish a record that will aid in resisting the deportation proceeding.

The parole officer reported to me that her conduct since being paroled from the penitentiary had been without reproach. Assuming that there has been nothing in her conduct since she appeared before me that would militate against her, I would feel disposed to aid, so far as would be consistent with my duties, any measure that would enable her to remain in this country.

Very cordially yours,

(Signed)

EDWIN F. HAHN."

And from the Los Angeles district attorney's office under date of July 16, 1927, I received the following:

"Miss Truell was sentenced from Los Angeles County about a year ago for the crime of forgery; prior to being sentenced she made application to the court for probation and after a thorough investigation the probation officer of this county recommended to the court that probation be granted; however, the court for reasons of his own sentenced the young lady to San Quentin.

She has now served one year in the penitentiary. I have examined the facts of the case and feel satisfied that there would be no miscarriage of justice in this case were she to be granted a pardon, and am therefore writing to advise you that there is no opposition to such action by me. Furthermore, I believe this defendant has received a very severe lesson by her incarceration on this charge and that if she were released she would again resume her place in society and not cause any trouble in the future."

The probation officer of Los Angeles County also wrote:

"The case of Marjorie Truell is being brought to your attention by her many friends, with the request that you grant executive clemency in her case.

In my opinion the ends of justice will be met if a pardon is granted her at this time. The circumstances shown at the time she was sent to the penitentiary have been carefully gone into by this office and it is one of the very few cases that have come to my attention for which I have ever requested any executive clemency. This is one of the cases which I believe would be entirely worthy and for whom such action on your part would meet the ends of justice, and at the same time release to a life of usefulness this young woman, who has undoubtedly suffered enough for the crime she has committed.

Respectfully yours,

(Signed)

W. H. HOLLAND,
Chief Probation Officer."

A letter from the man she was engaged to marry, now her husband, dated July 31, 1927, reads as follows:

"MY DEAR GOVERNOR: A petition for pardon has this day been forwarded to you for your consideration in the case of Miss Marjorie Truell, an inmate of San Quentin for the past year.

Many letters testifying to the character of all concerned in this case have been forwarded to you, a large percentage from well-known and highly respected citizens of this part of the State, which makes it unnecessary for me to further elaborate on that point.

When Miss Truell made this unfortunate mistake I was engaged to be married to her and still am. Since that time I have continuously been part and parcel of everything pertaining to her welfare and have participated in every act and move. Immediately upon Miss Truell's move to San Quentin, I moved to her father's home in order that I might in some small way take the place

of the little lady who has been the very essence of his life. He and I at all times in the case have acted the part befitting real citizens.

In considering this petition, Your Excellency, I respectfully request that you regard the future of the three of us. She, as well as her father and I, are Canadian citizens, and should you not see fit to grant this pardon, it means the severing of business connections established over a period of five years, as we are informed she is subject to deportation to Canada for her acts. This works a severe injustice on her father and myself, and to her, too, as she is paying now very dearly for her misstep. Also her sentence calls for a number of years of parole which are stinging reminders which she will be trying to forget. Certainly for a lady of her education and culture one year in San Quentin is more than sufficient punishment, not only for herself, but for us as well.

I sincerely hope you will give this petition your most thorough investigation and see fit to exercise your official prerogative of complete pardon on the four offenses on which she was sentenced.

Yours faithfully,
(Signed)

O. W. DAVIDSON,
Sales Manager Roosevelt Farms."

Mr. N. T. Truell, the father, first wrote to me on June 1, 1927, portions of his letter being as follows:

"In July, 1926, my daughter, Marjorie Truell, pleaded guilty to four charges of forgery and was sentenced by Judge Hahn to from one to fourteen years at San Quentin Penitentiary on one charge and was given six years probation on the other three charges. I am aware that a request for a pardon has been made to you, but I am sure will allow me, as her father, to add a word in support of that request.

Marjorie issued several checks signing fictitious names and thereby secured several articles for her trousseau. She obtained no money on any check. The total amount she was accused of obtaining on all checks was less than six hundred dollars in goods. The amount she really obtained was far less than that.

Previous to this series of misdemeanors, there was not a stain of any kind against the girl or against any member of her family.

I lost my wife when Marjorie was quite young and I placed her in St. Mary's Academy at Winnipeg, where she remained eight years. After her graduation I bought a home and she has since lived with me. We came to Los Angeles four years ago for my health, and a little later Marjorie took a position in the Security Trust and Savings Bank in the department presided over by Mr. Ralph Hardacre, senior vice president of the bank and president of the State Bankers Association. She was still in his office when this trouble came upon her.

When she appeared for sentence we asked for probation. The Los Angeles Kiwanis Club of which I am a member and many leading citizens, including Mr. Hardacre, urged that probation be granted. Mr. W. H. Holland, the probation officer, strongly recommended it, but Judge Hahn felt that because of numerous forgeries that had taken place about that time, he must decline to grant probation. We took our punishment as befits good citizens. Marjorie has now been in San Quentin nearly ten months and if we felt that the terrible punishment which we have endured was commensurate with the punishment meted out to others for similar offenses, we would not ask for executive clemency.

We are real citizens as is evidenced by the thirty or forty letters filed in Mr. Holland's office asking for probation, and we do not cry over punishment, but we honestly feel that in this case the claims of society have been satisfied—more than satisfied—and that the cure has been fully effected. We therefore ask that you give this case the fullest investigation.

On behalf of my daughter, and of her fiance, Mr. O. W. Davidson, and of myself, I ask your favorable consideration of the petition for pardon for the four offenses on which she was sentenced.

Yours faithfully,
(Signed)

H. T. TRUELL."

Many respected and prominent citizens and officials of Los Angeles have also written me strongly recommending a pardon, including:

Hon. John G. Porter, now Mayor of Los Angeles, then chairman, Civic Affairs Committee, United Church Brotherhood.

Hon. George N. Cryer, then Mayor of Los Angeles.

Hon. Frank P. Flint, now deceased, a former U. S. Senator from California.

Hon. Dell A. Schweitzer, a former chairman, Board of Police Commissioners, Los Angeles.

Dr. Edwin P. Ryland, general secretary, Los Angeles Church Federation.

Dr. John R. Haynes, member Los Angeles Board of Public Utilities.

Mathew Walker, southern California manager, Central Life Insurance Company of Illinois.

Frederic H. Blair, superintendent, Good-Will Industries of Southern California.
T. S. Hooper, a former Crown prosecutor, British Columbia.

B. C. Wright, manager public relations, Southern California Telephone Co.

W. Bertrand Stevens, Bishop Coadjutor, Diocese of Los Angeles.

Rev. James N. Lash, pastor of Hollywood Congregational Church.

Rev. Wilsie Martin, pastor of First Methodist Episcopal Church of Hollywood.

Mrs. Orville L. Routh, president Women's Club of Hollywood.

Mrs. Frank E. Rising, Mrs. Ira W. Richardson, Mrs. T. R. Booth, president, secretary and treasurer, respectively, Hollywood Church Federation of Mothers' Clubs.

Mrs. S. R. Orr, president, Mothers' Club of West Hollywood.

Mrs. F. R. Schalch, president, Mothers' Club of West Hollywood Congregational Church.

Mrs. F. C. Van, president, Mothers' Club of West Hollywood M. E. Church.

Dr. Chas. F. Nelson, a former president, United Church Brotherhood of Los Angeles.

Sheldon Shepard, director of the Hollywood Forum.

Louis Thurber Guild, superintendent of M. E. Church, Los Angeles District.

The following letter from Hon. John C. Porter, now mayor of Los Angeles, furnishes a fair sample of all the letters from the list of citizens named above:

"Many church leaders of this city have brought to our attention the case of Miss Marjorie Truell who was sentenced about a year ago to San Quentin for forgery.

A member of the United Church Brotherhood Civic Affairs Committee has very carefully investigated Miss Truell's case. We are convinced that the majesty of the law, the sanctity of her present and future home, the welfare of society and the personal future of Miss Truell will all best be served by your granting an unconditional pardon after the completion of one year of her indeterminate sentence.

We, therefore, urge that you take this action as early as possible.

Assuring you of the support of our brotherhood in your efforts to give this State a clean moral administration, we remain,

Sincerely yours,

(Signed)

J. C. PORTER.

Chairman for the Civic Affairs Committee."

H. B. Hardacre, vice president of the Security Trust and Savings Bank where she was employed, now executive vice president of the Security First National Trust and Savings Bank, writes as follows:

"I have been requested to address you with respect to the record, while in our employ, of Marjorie Truell, who I understand is making application for pardon.

Miss Truell was employed by this bank from January 15, 1924, to June 15, 1926. During that period she performed clerical work of a responsible nature to our entire satisfaction. This work at times involved the handling of valuable securities all of which were accounted for and her record here was satisfactory in all respects.

Her father, who is a business man of some responsibility, advises me that in case of her release from the State Prison he expects to give her proper supervision and that if and when she is released she will be married to a worthy young man to whom she was affianced prior to her incarceration.

My personal impression is that if she is released she is likely, under these circumstances, to become a useful member of society and I should personally be glad if you should find it desirable to grant the pardon requested.

Yours very truly,

(Signed)

R. B. HARDACRE."

It will be noted that all those named above presented their appeals for executive clemency in this case during the year 1927, most of the letters having been received more than two years ago. However, as I told the father and others who made personal application to me, I am very anxious to establish in this State the principle that under all ordinary circumstances, where no new evidence has been brought forward to indicate a miscarriage of justice, parole and the completion of the parole period, should precede pardon by a Governor. I have attempted a statement of this principle in my message to the Legislature on Reprieves, Commutations and Pardons, under date of January 10, 1929, from which I quote, in part, as follows:

"Under the very liberal parole laws which prevail in California, the first clemency to be shown a prisoner should normally be through action of the Parole Board. During the period of parole the former prisoner is bound to conduct himself properly, for to do so is a condition of the necessarily rather rigid parole regulations. He must be industrious, temperate, law-abiding, and in other ways justify the freedom which has been accorded him. As soon as the period of parole has expired, however, and conditions of parole no longer compel him to observe a course of good conduct as the price of freedom from

prison restraint. I believe the State should give him assurance that he may look forward to ultimate pardon and restoration to citizenship, provided after a reasonable length of time he can show that he has proved himself worthy of such recognition."

The father of Marjorie Truell, and others interested in the case showed a very fine spirit of willingness to accept my views expressed above as to the proper time for issuing a pardon. Indeed, I should have preferred a somewhat longer period after the expiration of parole, were it not for the fact that under federal law this young woman is now subject to deportation. She was actually ordered deported on July 16th of this year, but a sixty days' stay was granted which expires this morning. Accordingly action must now be taken if this deportation is to be prevented; and I am satisfied that the ends of justice do not require that the family be disrupted as would be the case if pardon were now refused.

The very evident contrition on the part of this former offender against the law is manifest in a letter I received from her some two months ago. In this letter she shows very clearly how great a blow her deportation would be to her father and her husband. The letter, I think is worthy of preservation, as showing the state of mind of one to whom I believe pardon may safely and justly be granted.

"4034 West 63d Street,

LOS ANGELES, CALIFORNIA, July 14, 1929.

Governor C. C. Young,
Los Angeles, California.

YOUR EXCELLENCY: Unknown to either my father, or my husband, may I trespass upon your time long enough to submit a heartfelt plea in their behalf far more than in my own?

I believe you kindly granted my father, Mr. Truell, an interview yesterday. I think I can safely say that it is a matter of life or death to him, whether or not I receive a pardon from you as the sole means of avoiding deportation. My father is an elderly gentleman over 63 years of age, and came to California primarily on account of rheumatism which he could never be free of in Canada. Since that time he has never had even a twinge of it and he enjoys perfect health. He can not return to Canada should I be obliged to go, because he can not stand the rigors of our Canadian climate, either east or west; and he is too old to be uprooted and have to start all over again. My father brought me up alone ever since I was eight years old, taking great pride in my university successes, and his whole life centers on me. He has nobody but my husband and me with whom he makes his home, and his business interests are all in Los Angeles. Any Kiwanian or member of the Masonic Club of Los Angeles, to say nothing of a host of others, will tell you how much he is respected and admired.

My husband, as many of your State officers will vouch for, is a splendid type of young manhood. He married me upon my return from San Quentin, refusing to accept my proffered release. It would certainly mean ruin to him should I be deported, because as you know, it is quite a problem to dispose of one's home and other property, to say nothing of one's business and start all over again at the bottom.

I can not offer you an excuse for my act which caused all this trouble—I think I must have been crazy—but ever since the day of my arrest I can truthfully say I have made every effort to make up to all concerned for the trouble I caused them. However, that is now a thing of the past. I served my sentence and my parole, and I did and am still doing all I know how to make up for the trouble and to prove to the world in general that I really am sincere in my regrets.

Thank you so much, Governor Young, for your courtesies past and present. Mr. Carlin also has been so splendid, and please believe how much we do appreciate them and if you can only see your way clear to grant me this clemency you will earn our heartfelt gratitude and save two very wonderful gentlemen a world of trouble. They are the innocent victims, and there isn't a thing in the world I wouldn't do if I could save them this pending deportation. I know I don't deserve your kindness and all their love, but they do deserve everything in the world, and if additional parole could help, I would gladly submit to it to prove my gratitude.

Thanking you again and earnestly hoping for your favorable consideration, I beg to remain,

Gratefully yours,
(Signed)

(MRS.) MARJORIE TRUELL DAVIDSON."

The last letter I received upon this case is from the deputy district attorney who prosecuted, and who reiterates the recommendation of the district attorney's office as made two years before. This letter, in conjunction with the other recent letter of the presiding judge, already reproduced, fittingly concludes the correspondence on the case.

"I am writing this at the request of Mr. Newton D. Truell, who resides at No. 14034 West 63d Street, this city.

Mrs. Edith M. Davidson, formerly Miss Edith Marjorie Truell, daughter of Mr. Newton D. Truell, was charged in an information filed in the superior court of the State of California, in and for the county of Los Angeles, on July 2, 1926, with four counts of forgery, felonies. On the thirteenth day of July, 1926, the above named defendant pleaded guilty to the four counts as charged in the information. The court, on July 27, 1926, sentenced said defendant to San Quentin for the term prescribed by law on count one of the information and granted probation on counts two, three and four.

I was deputy district attorney in charge of the prosecution of the case.

I have been advised that the aforementioned defendant served her term in San Quentin and was released this year. The records also show that the period of probation as to counts two, three and four has been terminated, pleas of not guilty entered, and the charges have been dismissed.

It has been called to my attention that under a federal provision an alien convicted of a felony is subject to deportation. Mrs. Edith M. Davidson is a Canadian, and hence subject to the above provision.

Taking into consideration all of the circumstances in this case, including the report to me that since her release from the penitentiary she has married and is now leading an upright life, I believe that in the interests of justice a pardon should be granted to Mrs. Edith M. Davidson.

With kindest personal regards, I remain,

Very sincerely yours,

(Signed)

LEO AGGELER."

September 11, 1929.

I believe that Marjorie Truell Davidson has demonstrated herself to be worthy of consideration and entitled to recognition from society and the people of this State to the extent of a removal of the disabilities incident to the conviction of a felony, one of which—deportation—is about to be felt.

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of said State, in consideration of the extenuating and mitigating circumstances surrounding the commission of the crime, and of the good character which she previously bore and which she now bears, and particularly of the fact that since her final discharge she has shown that she intends to lead a peaceful, law abiding, honest, clean life, and is, therefore, now entitled to a removal of the disabilities incident to the conviction of a felony, including the restoration of civil rights, the making possible of the acquisition of United States citizenship, and the prevention of deportation, and in view of the recommendations of the Advisory Pardon Board and others hereinbefore referred to, do hereby pardon Edith Marjorie Davidson, nee Truell, of the said crime of forgery.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixteenth day of September, A. D. 1929.

[SEAL]

C. C. YOUNG,

Governor of the State of California.

Attest: FRANK C. JORDAN, Secretary of State.

By FRANK H. CORY, Deputy.

REPRIEVE.

Upon a showing of facts presented to me by Warden James B. Holohan and Dr. W. P. Goddard, acting resident physician at San Quentin Prison, I am hereby issuing a reprieve of sixty days to George Costello, whose execution was heretofore set for Thursday, October 17, 1929.

On August 25, 1928, Costello, together with Louis Lazarus and William O'Brien, was duly convicted of the crime of murder.

The prisoner, on the morning of October 14, 1929, attempted suicide by cutting his throat with a razor blade, and I am today in receipt of report from Warden Holohan, as well as Dr. W. P. Goddard, acting resident physician at San Quentin, to the effect that the wound will not be sufficiently healed to permit the defendant, Costello, to go to the gallows on Thursday, October 17th, unassisted. Their letters are as follows:

"October 15, 1929.

Hon. C. C. Young,

Governor of California,

Sacramento, California.

DEAR GOVERNOR: I herewith enclose a letter from Dr. W. P. Goddard, our assistant resident physician, regarding one Costello, the condemned man, who is sentenced to be executed on next Thursday. In view of this man's condition and the doctor's report on him, I am thoroughly convinced that a reprieve of say sixty days would be desirable. I believe it would be the wise thing to do—the humane thing to do. I trust that you may be able to see your way clear to grant this man a reprieve.

Yours very sincerely,

(Signed)

JAS. B. HOLOHAN, Warden."

Re: Costello—45873.

"October 15, 1929.

Hon. J. B. Holohan, Warden.

DEAR SIR: This man's condition today is such that he will be able to mount the scaffold Thursday. The wound is such, however, that it will be opened when he drops, and there will be considerable hemorrhage at that time. The wound will not be healed firmly enough in the next six weeks or two months to withstand the shock of the drop without opening.

It is our opinion that the neck will not be completely severed, but it is impossible to make this statement as a certainty. He will be very weak on Thursday, but with slight assistance he should be able to walk.

Yours very truly,

(Signed)

W. P. GODDARD, M.D.,
Assistant Resident Physician."

Accordingly and for this reason alone, acting upon the recommendation of the Warden, I do hereby reprieve George Costello, under sentence to be hanged in the State Prison at San Quentin on the seventeenth day of October, 1929, until and to Friday, December 13, 1929.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this sixteenth day of October, A. D. 1929.

[SEAL]

C. C. YOUNG,

Governor of the State of California.

Attest: FRANK C. JORDAN, Secretary of State.

By FRANK H. COBY, Deputy.

REPRIEVE.

Because the day on which Joe Troche is sentenced to be executed for murder in the first degree falls on Good Friday, a day which has always been avoided in California for the execution of criminals, I do hereby reprieve the said Joe Troche, sentenced to be hanged in the State Prison at San Quentin on the eighteenth day of April, 1930, until and to Friday, April 25, 1930.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eleventh day of April, 1930.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

REPRIEVE.

I am hereby granting to Joseph Troche, otherwise known as Joe Troche, whose execution at San Quentin is set for Friday, April 25th, a reprieve from said date of April 25th, to Friday, May 23, 1930.

On April 11th a reprieve of one week was granted to Troche from April 18th to April 25th, but was granted solely to avoid an execution on good Friday, a practice which has always been avoided in California. At that time no additional clemency for the condemned man was considered possible, or was under contemplation.

Within the past few days, however, certain representations and pleas have been made for the commutation of Troche's sentence, which seem to throw a new light on the case, and which I deem worthy to be considered and investigated. To weigh properly the new material which has been adduced, it seems necessary that I reread the transcript of the trial, which I read very carefully several months ago, but which, in some of its details, has passed from my memory.

I am particularly impressed by a communication I have just received, signed by six justices of the State Supreme Court, and by Presiding Justice Tyler of the Appellate Court, in which the opinion is strongly expressed that "the situation presents a case where executive clemency should be applied."

The member of the court who transmitted this communication to me points out that in the Supreme Court's previous consideration of the case, the members were necessarily confined to a consideration of law alone, but that if an application to the court for a reduction of the sentence had been presented, it would very possibly have met with favorable consideration.

I have always felt it to be unfortunate that the Supreme Court, which more than any other agency is qualified to weigh the merits of evidence in such matters, whether presented at a trial or subsequently, is of necessity restricted in its powers; and I shall always welcome the advice of its members as individuals in cases where their study has convinced them that executive clemency would be in the interest of justice.

To give to this case the additional consideration and study which it apparently requires, the two or three days intervening between this date and April 25th is obviously not sufficient. Accordingly, I do hereby reprieve the said Joseph or Joe Troche, sentenced to be hanged in the State Prison at San Quentin on the twenty-fifth day of April, 1930, until and to Friday, May 23, 1930.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-third day of April, 1930.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION.

I am hereby commuting the sentence of Joseph Troche, otherwise known as Joe Troche, sentenced to be executed on May 23, 1930, from capital punishment to imprisonment for life. This is a case in which there have been two reprieves, the first to avoid an execution on Good Friday, and the second to admit further study of the case owing to a recommendation for executive clemency by members of the State Supreme Court. In granting the latter reprieve I expressed myself as follows:

"I am particularly impressed by a communication I have just received, signed by six justices of the State Supreme Court and by Presiding Justice Tyler of the Appellate Court, in which the opinion is strongly expressed that 'the situation presents a case where executive clemency should be applied.'

The member of the court who transmitted this communication to me points out that, in the Supreme Court's previous consideration of the case, the members were necessarily confined to a consideration of law alone, but that, if an application to the court for a reduction of the sentence had been presented, it would very possibly have met with favorable consideration.

I have always felt it to be unfortunate that the Supreme Court, which more than any other agency is qualified to weigh the merits of evidence in such matters, whether presented at a trial or subsequently, is of necessity restricted in its powers; and I shall always welcome the advice of its members as individuals in cases where their study has convinced them that executive clemency would be in the interest of justice."

Several days before I had received this communication from the Supreme Court, I had heard from Superior Judge George H. Thompson, who presided at the trial at which Troche was convicted, and from District Attorney Henry S. Lyon, who prosecuted the case, both of whom expressed the opinion that the verdict was a proper one, and that they were unable to assign any reason why the sentence should be mitigated. It is my impression that these same views are still held by both these officials.

In view of this fact, and in view of the fact that no distinctly new evidence has entered into the case since the trial, the precedent ordinarily followed in previous cases would seem to indicate that the original sentence should be carried out. However, the voluntary letter of recommendation by practically the entire membership of the Supreme Court introduces an element which can not be disregarded, particularly in view of the fact that the court has authority to reduce a sentence by reducing the degree of the crime. It is now too late for this to be done as a matter of ordinary procedure, and it can be accomplished only by recommendation for executive clemency.

I have ascertained by personal investigation and interview that the members of the court, all of whom have studied this case with very especial care, are sincerely troubled by the conviction that under the circumstances attending this crime the penalty of death is too severe. As expressed in their letter to me, they seem to be of the opinion that in the verdict carrying the extreme penalty insufficient weight was given to Troche's mental condition, or even to the possibility, owing to the finding of only one empty shell at the scene, that the bullet which entered Troche's head in his suicide attempt was the same bullet which killed his companion.

Following is the letter of recommendation as written by Presiding Justice Tyler of the Appellate Court while sitting as a pro tempore member of the Supreme Court, and concurred in by the other justices:

"April 21, 1930.

Hon. C. C. Young,
Governor of the State of California,
Sacramento, California.

MY DEAR GOVERNOR: At the time of the first hearing of the case of People vs. Troche, I was a pro tempore member of the Supreme Court. At the conclusion of the presentation of the case it seemed to me, and it still does, that the verdict carrying the extreme penalty was, under all the circumstances of the case, a very severe one.

The defendant at the trial had interposed two pleas, a general one of not guilty and also one of not guilty by reason of insanity. He was found guilty of both without recommendation. It appears in evidence at the trial that the defendant was afflicted with a form of epilepsy, and during the time he was suffering spells incident to the disease he had no recollection of what had transpired or of any act he might have committed. There was medical testimony to the effect that he was insane at the time he committed the act of which he was convicted.

While it is true he admitted at the time he was found wounded in the automobile with his dead companion that he had shot her, he subsequently and at the trial denied all knowledge of the affair. When discovered he was in a practically dying condition; his blood and particles of his brain were oozing from his wound. Then again there is a possibility that only one shot was fired by him, which resulted in the infliction of his own injuries, the bullet then passing on through his head and killing his companion, as but one exploded cartridge was found at the scene of the unfortunate affair.

Considering his former good character, his extreme youth, the insanity of his mother, his affection for his intended bride, his lack of motive, and the other facts and circumstances with which you are of course familiar, it seems to me that the situation presents just such a case where executive clemency should be applied. I am, therefore, suggesting that you commute the sentence to life imprisonment. With kindest personal regards,

Very truly yours,

(Signed)

JOHN F. TYLER."

"We, the undersigned, members of the Supreme Court of California, concur in the statement of the facts of this case as above set forth, and unite with Mr. Justice Tyler in the recommendation that the sentence of Joseph Troche be commuted to imprisonment for life.

(Signed)

JOHN E. RICHARDS,
JNO. W. PRESTON.
JESSE W. CURTIS,
EMMETT SEAWELL,
JOHN W. SHENK,
W. H. LANGDON.
By JOHN W. PRESTON."

In explaining the form of the last signature, Justice Preston writes me as follows:

"You will observe that six of the seven members of the Supreme Court have endorsed the recommendation of Justice Tyler, petitioning you to grant executive clemency to Troche. Mr. Justice Langdon was ill at his home, but I called him on the telephone and explained the situation to him with respect to our endorsement; he then authorized me to sign his name, thus joining in the request that you grant executive clemency to this man."

I have reproduced the above letter from the members of the Supreme Court, not because I desire to evade any responsibility in the matter, for I realize that such responsibility is mine alone; but because of the clear and concise statements expressed, as well as the very earnest recommendation on the part of the justices. Incidentally, I have never known another capital case in which there has been less popular clamor than has been expressed at this time. Instead of the scores of letters and telegrams ordinarily received, practically nothing has come in except this one voluntary and unsolicited letter from the Supreme Court. The action of the court shows what unexpected help may come to a man, poor, without influence of any kind, and apparently friendless and forgotten.

When I take into consideration the legal power of the court under other circumstances to reduce the degree of offenses, as well as their specialized training and ability, which enables them to weigh evidence and reach just conclusions more surely than a layman is able to do, I feel that I have no other alternative than to follow their recommendation; and I have so expressed myself to District Attorney Lyon, who, in the course of his official duty, has devoted much earnest effort to the prosecution of this case. If any mistake is possible in such a matter, I feel that it should be made on the side of mercy, and I wish to thank the members of the Supreme Court for their presentation of the case which has led to this merciful conclusion.

Now, therefore, I, C. C. Young, Governor of the State of California, do hereby commute the sentence of death imposed upon Joseph Troche, otherwise known as Joe Troche, in the Superior Court of the State of California, in and for the County of El Dorado, upon condition that he be imprisoned during the term of his natural life in the State Prison at San Quentin.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be applied this twentieth day of May, 1930.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

PARDON.

For some time I have had before me an application for pardon in the cases of Mike Garvey, Harvey Leshner and Phil Rohan, convicted of burglary and of murder in the first degree and sentenced to life imprisonment. Shortly after receiving this application I referred the case to the Advisory Pardon Board with the recommendation that it be given exceedingly careful study.

Since assuming my present office I have taken the position that as a matter of regular procedure a pardon should follow parole, except in cases where a very definite presumption of innocence can be established. In other words, I believe that a pardon should normally involve a restoration to citizenship after a sufficient period has elapsed, between the time of final discharge and the time of application, to demonstrate clearly that the applicant is deserving and is following a course of proper conduct after the restrictions of parole have been removed.

In line with this policy, I have granted a limited number of pardons, restoring to citizenship former prisoners who, for a sufficient time after the expiration of their paroles, had demonstrated such industry and excellence of behavior as to convince me that they had earned the right to the utmost in the way of executive clemency. In

fact, I have a number of these cases now before me, in which full pardon and restoration to citizenship should shortly be granted.

On the other hand, during the three and one-half years of my incumbency, I have issued but one pardon to a man already in prison; and in that case his innocence was absolutely proved through the confession, conviction, and incarceration of the real perpetrator of the crime for which the prisoner was unjustly being punished. In the present case of Garvey, Lesher and Rohan, I felt that a similar degree of certainty should be established, in order that their release, if granted, might as far as possible demonstrate their innocence of the crime of which they had been convicted.

Accordingly, before taking final action in this instance, I have waited until I should receive a unanimous recommendation from the Advisory Pardon Board, as well as letters from the district attorney and from the judge who presided at the original trial of the case. Although Lieutenant Governor Carnahan, who has devoted much time to an exhaustive investigation of the matter, submitted his report to the board several weeks ago, a full concurrence of all the other members of the board has been secured only within the last two days.

Moreover, the first letters I received from Judge Aggeler, who tried the case, and from former District Attorney Keyes and his deputies, who prosecuted it, were unfavorable to executive clemency. To complete the record, however, I should say that, about a year after his first letter, I received a second letter from Mr. Keyes, reading in part as follows:

"I have carefully reviewed this case and state that in my opinion these men were wrongfully convicted, and are not guilty of this crime. The fact that I was district attorney when they were prosecuted and convicted justifies me, I believe, in giving you my views of the case at this time, as I feel more or less responsible for this miscarriage of justice."

The final recommendation from the chairman of the Advisory Pardon Board has just come to me under date of June 14th, and reads as follows:

"I examined carefully all of the evidence respecting Garvey, Lesher and Rohan submitted to the Pardon Board and supplemented this examination with a personal investigation of other facts that seemed material.

The result of the examination and investigation is shown in my report to you as chairman of the Advisory Pardon Board. I have not the slightest doubt that the defendants are innocent of the crimes of which they were convicted, and should be pardoned."

Within the past two weeks letters have also been received from Superior Judge Aggeler and from Mr. Fitts, the present district attorney, calling attention to the investigations which have been made by the grand jury and otherwise, and containing very different recommendations from those presented by these two offices when the cases were first referred to me. In fact, during the past two years there have been almost continuous investigations of the case on the part of the grand jury, district attorney's office, and Advisory Pardon Board; and numerous affidavits have been secured and new evidence gathered, all tending to discredit much of the testimony through which the original conviction was obtained.

In view of these recent letters from judge and district attorney, as well as the unanimous recommendation from the Advisory Pardon Board, I feel that no good purpose can be served by further investigations, and that a pardon to Garvey, Lesher and Rohan should at once issue. In granting this pardon, I wish briefly to review the circumstances of the crime as well as the reasons for my belief in the innocence of the accused. I shall also quote from the letter of the district attorney, and shall present the letter of the presiding judge, which well sums up the situation.

November 1, 1927, A. R. Miles, a druggist, running a small corner drug store on Jefferson street, in Los Angeles, was found a little before ten o'clock at night, wounded and unconscious on the floor of the rear room of his store, and bound with a heavy cord. He died a few minutes later as a result of his wounds. The facts indicated that he had been attacked, at some time between 7.50 and 9.35 p.m. incidental to a robbery of his store.

About a month after this event, Mike Garvey, Harvey Lesher and Phil Rohan, then under arrest on another charge, and in jail at Los Angeles, were identified in a police "show-up," by Eddie Yates, a ten-year old boy, who claimed that he had seen them enter the store on the night of the murder and follow Miles toward the back room, and afterwards leave the store hurriedly and drive away. Howard Walton, a confessed bootlegger, also informed the police that Lesher, when recovering from a drunken stupor at Walton's home, had confessed to him that he, Lesher, had killed the druggist, and that Garvey and Rohan were with him.

The three were indicted and tried; and, chiefly on the testimony of Eddie Yates and of Walton, were convicted of murdering Miles and burglarizing his store. On its verdict of murder, the jury recommended life imprisonment. The defendants sought a new trial, but it was denied. Upon their appeal, the judgment against them was affirmed.

Notwithstanding their conviction, the defendants persistently have asserted their innocence, and, at their instance, pending their appeal, the Los Angeles County grand jury, under Hon. John C. Porter (now mayor of Los Angeles) as foreman,

conducted an investigation through the district attorney's office, in which evidence was produced of many facts not disclosed at the trial.

This evidence, together with the record of the proceedings in court, was presented to me with the application of the defendants for a pardon, and was referred to the Advisory Pardon Board. Following a further and independent investigation by that Board, Lieutenant Governor Carnahan, its chairman, has submitted to me a detailed report and analysis of the facts, together with his conclusions. The facts recited in this report, based upon the testimony of reputable and disinterested witnesses, show clearly and to my satisfaction that Eddie Yates was at a picture show from soon after 7 p.m. until after 9 p.m.; and in the opinion of Mr. Carnahan was not in the vicinity of the drug store until after the body of the druggist had been found by others and the police had been notified. He is the only one who has claimed that he saw the defendants there.

It is the evident belief of Lieutenant Governor Carnahan, as it is of others who have investigated this case, that Eddie Yates was romancing—possibly unconsciously, as is not unusual with ten-year-old children under similar circumstances. On the other hand, Dr. E. W. Yates, a dentist in the vicinity of the murder, and father of Eddie, is satisfied that the boy is telling a straightforward story, but has testified under the possibility of mistaken identity. Dr. Yates has written to me as follows:

"DEAR GOVERNOR YOUNG: I am E. W. Yates, father of Eddie Yates, that testified in the case of the State against Harvey Leshner, Mike Garvey and Phil Rohan.

I am informed that these men are being held entirely on the evidence of my boy. I know the boy did the best that he could, and sincerely believes these men were guilty, and has never changed his opinion to this day. But he having never seen these men before, and seeing them at night, under the circumstance there is great possibility of a mistaken identity. So, if his is the only evidence it does not look to me that it would be just or fair to hold them.

I am asking you under these circumstances to consider favorably their release.

Very respectfully yours,
(Signed)

E. W. YATES."

December 28, 1928, about a year after the trial, Howard Walton made an affidavit that all of his testimony respecting Leshner's confession was false and that no such confession had been made to him. The evidence justifies the belief that Walton's testimony at the trial was given through his fear of repudiating similar statements previously made to the police to cause the arrest of Garvey and Leshner on some pretext, in retaliation for their rumored intention, reported to him, to "shake him down" as a bootlegger.

The defendants assert that they were all at Leshner's home several miles from the drug store during all of the evening, until after 10 p.m. In this they are corroborated by seven others. Although the others are relatives or friends, their testimony, nevertheless, seems credible, and under the circumstances is persuasive of the truth of the defendants' claims.

Pursuant to section 1420 of the Penal Code, Hon. Wm. T. Aggeler, the judge of the court before which the conviction was had; Asa Keyes, the district attorney by whom the action was prosecuted, and Byron Pitts, the present district attorney of Los Angeles County, have furnished me with summarized statements of facts proved on the trial and other facts developed in the subsequent investigation, referring to the propriety of granting or refusing a pardon. Each of these public officers, as well as Mayor Porter, the foreman of the grand jury during the post trial investigation; the Lieutenant Governor, as chairman of the Advisory Pardon Board, and Dr. Gustav A. Briegleb, pastor of Eddie Yates, who made a personal investigation of the case beginning immediately after the body of the druggist was found, is of the opinion that the defendants are innocent of the crimes for which they are now held in prison.

I have already quoted from the letter of former District Attorney Keyes. Under date of June 6, 1930, present District Attorney Pitts wrote to Lieutenant Governor Carnahan, chairman of the Advisory Pardon Board, a letter reading in part as follows:

"I am quite mindful of the seriousness of the charge pending against these defendants, and am likewise conscious of the importance of this matter not only to them, but to the State as well. Therefore, several months ago I directed Mr. William McKay, one of the ablest lawyers of this office, to make a special investigation of the facts of this case. Mr. McKay spent a great deal of time and effort in completing this investigation. Under date of March 1, 1930, in a letter to James A. Johnston, Director of the Department of Penology and a member of the Advisory Pardon Board of California, Mr. McKay concluded, 'from a careful consideration of the entire record, and the attendant circumstances, I am of the opinion that the defendants are innocent of the crime and feel that it is a matter which should suggest itself to the board for consideration at the earliest opportunity.'"

As said above, I feel that the entire matter, including the transition from a belief in the guilt of the defendants to a belief in their innocence, is well summed up in the latest letter from Judge Aggeler, which I received on June 14th, only six days ago. This letter, I believe, is worth reproducing in full, and may very properly conclude this presentation of the case.

"Hon. C. C. Young,

Governor of the State of California,
Sacramento, California.

In the matter of the application of
the pardon of Mike Garvey, Harvey
Lesher, Phil Rohan.

MY DEAR GOVERNOR: I presided at the trial of the three above-named defendants. They were convicted by a jury of murder in the first degree. Before judgment was passed by the trial court a motion for a new trial was made on the ground that the evidence was not sufficient to sustain the verdict of guilt. I denied the motion for a new trial on the ground that the testimony was sufficient. Thereupon the case was appealed on the ground that there was not sufficient evidence to sustain the verdict. The District Court of Appeal affirmed the judgment, holding that the evidence was sufficient, and also holding that no errors were committed by the trial judge; that the defendants were legally convicted.

The testimony in this case upon which the defendants were convicted depended almost wholly upon one witness, Eddie Yates, a boy about twelve years old. I was of the opinion, when the motion for a new trial was denied, that if Eddie Yates had been impeached the evidence would not sustain a verdict of guilt. At that time, however, there was no evidence challenging the truthfulness of the testimony of Eddie Yates. Since the case has been before the Board of Pardons of California I have written to that board that if the testimony of Eddie Yates was impeached the defendants should be pardoned.

Since the trial much evidence has been gathered, none of which was presented to the court and jury at the trial of the case, which impeaches Eddie Yates beyond question. I am of the opinion if this evidence, gathered since the trial, had been before the jury the defendants would not have been convicted. The testimony in the hands of the Pardon Board, which I have considered, entitles the defendants in this case to a favorable consideration of their application for a pardon.

I recommend that each of the defendants be pardoned.

Yours sincerely,

(Signed)

WILLIAM TELL AGGELER."

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of the said State, do hereby pardon Mike Garvey, Harvey Lesher and Phil Rohan of the crimes of murder and of burglary, of which they were convicted as above stated, and for which they have heretofore been committed to San Quentin Prison.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twentieth day of June, A.D. 1930.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

By FRANK H. CORY, Deputy.

PARDON.

I am today issuing a pardon to Frank L. Vandusen of Crannell, Humboldt County, who in May, 1927, was convicted by a jury of fraudulent registration and voting in that county.

Mr. Vandusen was born in Glens Falls, New York, and when a child was taken in 1867 to the Dominion of Canada, where he resided for many years. On June 23, 1894, upon his application there was issued a certificate of Canadian citizenship, with the qualification that in the country of his birth he should not be deemed to be a British subject unless he has ceased to be a subject of his native country in accordance with its laws.

Some twelve or thirteen years after obtaining this Canadian citizenship, Mr. Vandusen removed to Humboldt County, California, and some time subsequent to arriving at this new place of residence, registered and voted as a citizen of the United States, under what he asserts as his belief that the citizenship granted him in Canada was of such a nature that it lapsed upon his return to the United States, and that his status thereafter was the same as that of any other native of this country.

The records show that shortly prior to March 31, 1927, Frank L. Vandusen was called before the grand jury of Humboldt County, sitting at Eureka, and questioned by the district attorney and others relative to his citizenship. Shortly afterward the grand jury returned an indictment for fraudulent registration and voting, an indictment containing five counts, one of which was afterward barred by the statutes of limitations. A verdict of guilty was afterward rendered on the other four counts, coupled with a paper, signed by nine of the jurors, recommending to the judge the utmost clemency for the defendant.

On May 26, 1927, the time fixed for sentence, motions for a new trial and for arrest of judgment were denied; and then, without any further action upon motion by the defendant's attorneys, the court issued an order of probation for two years. This order of probation so fully sets forth the entire case that it seems worth while to quote it in full. It reads as follows:

"Order of Probation.

You have been convicted by a jury in this court of having registered and voted illegally, that is having, while you were a subject of Great Britain and Canada, registered and voted in the State of California, a right accorded only to citizens of the United States, and prohibited by the laws of this State to aliens. It is the tendency of these times to protect the elective franchise of this country by stringent laws, that our government be not imperiled, and your violation of the law in regard thereto has called upon the officers of the law to take the action that led to your conviction.

The offense of which you are convicted is not one of the crimes denominated mala in se, that is morally wrong in themselves, but it belongs to that great class of offenses denominated mala prohibita, that is wrong because prohibited. Crimes mala in se, wrong in themselves, are those that have been crimes since the dawn of civilization, and are usually committed only by the vicious. Most of these laws are included in the laws of Moses, and are known as the Ten Commandments. The violation of these laws carries with it moral turpitude, and are usually committed by men of an abandoned heart.

You, as a man, do not belong to that class of offenders. Your offense does not involve moral turpitude. It belongs to the list of offenses denominated mala prohibita, or wrong because prohibited. A penalty is necessarily attached to the enforcement of all laws, because, without a penalty, men would obey law only because it pleased them to do so. This is an offense that must be punished for the reason that the punishment of one who violates the law deters others from the commission of a like offense. This is one of those offenses for which the law of probation was enacted, and one where probation may properly be invoked.

Then considering your offense as one not necessarily committed by a man of an abandoned heart, and being in violation only of the law mala prohibita, I shall grant your petition for probation. I would have granted you probation even though you had not asked it, because I believe the law fully vindicated by your conviction, without any severe punishment beyond that entailed in the conviction.

I believe this is a case for the proper exercise of leniency. In granting probation it is usual for the court to attach certain restrictions to the conduct of the paroled offender. These restrictions usually run to an inquiry into the past life of the petitioner and the restraining of his conduct in the future to those activities which will tend to aid him in successfully overcoming the fault which led him to a violation of the law, and prohibit him from doing those things which would be most likely to cause him to lapse into other infractions of the law.

In your case these restrictions would be idle for the reason that your life in the past has been one of active business along industrial lines, and therefore far away from the haunts of crime.

You are not disposed to minor violations of the law; in fact your life, so far as I can learn, has upon the whole been very exemplary, and for this reason I will not impose upon you any restrictions in this regard, nor do I think you should be required to report to any officer of the law as to your conduct of activities during the term of your probation. These things I believe can be safely left with you; I shall therefore not require them.

No man is perfect, all men make mistakes, and for that reason I think officers of the law should exercise leniency and toleration in the condemnation of others, and I shall therefore ask on your part a like toleration in your treatment of others in matters that do not meet your approval. With this, and only this restriction, and a hope that you will find it convenient to call upon the court in the early future, you are discharged from the custody of the law, your bonds are exonerated and your probation will continue for the space of two years.

You are hereby at liberty to depart.

(Signed)

T. H. SELVAGE,

Judge of the Superior Court, Humboldt County, California."

As I have frequently stated since assuming my present office, except upon most unusual cases I have held that a parole should precede a pardon, and that a pardon should not be granted until some time has elapsed after the termination of the period of parole, usually several years after that time. In this case there was no incarceration and therefore no parole, but merely a probation without the restrictions normally attaching to probation, owing to the high standing of the defendant as a man of probity and character.

Accordingly, I shall not wait for the usual period to elapse before issuing a pardon, but am issuing a full pardon at this time in order that Mr. Vandusen may be in a position to secure the citizenship which he desires. In granting this pardon, I can do no better than to repeat the words of Judge Selva in explaining why no restrictions were imposed during the period of probation:

"In your case these restrictions would be idle for the reason that your life in the past has been one of active business along industrial lines, and therefore far away from the haunts of crime. You are not disposed to minor violations of the law. In fact your life, so far as I can learn, has upon the whole been very exemplary."

For such a man, after the severe lesson which has come to him, pardon is only just and right, and should be approved by every fair-minded citizen.

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of said State, do hereby pardon Frank L. Vandusen of the crime of fraudulent registration and voting of which he was convicted as above stated.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this twenty-sixth day of June, A. D. 1930.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

PARDON.

For some time I have had before me an application for the pardon of Theodore (Ted) Lynch, who was convicted in the superior court of Ventura County of involuntary manslaughter. He was denied probation, and was sentenced November 12, 1923, to an indeterminate term not exceeding ten years in San Quentin. On May 24, 1924, the Prison Board fixed his term at three years, and November 24, of the same year, granted him parole. On March 12, 1926, his term expired and he was discharged from parole.

Following are the facts which led to his conviction: On September 20, 1923, he attended a public dance, where he became intoxicated from drinking bootleg whiskey. While driving home from this dance on the wrong side of the road, his automobile collided with another and overturned, killing Mrs. Flora Helm, 73 years old, and seriously injuring another passenger.

At this trial he refrained from testifying in his own behalf, and upon conviction accepted his sentence as a just one. The judge who presided at the trial afterward reported to the Prison Board that probation was denied largely because the serious result of the offense made it necessary to make an example of the case as a deterrent to others.

Previous to this offense, Ted Lynch had borne a good reputation. He served as machinist's mate in the Navy during the war, and subsequent to its close received an honorable discharge. He married in 1919, and his wife maintained the home for herself and their child, in order that he might come back to it after his imprisonment.

Prior to his trouble, he was employed as assistant foreman of the Dunn Manufacturing Company at Oxnard, and immediately upon his release on parole he was made shop superintendent by the same company, and given charge of 70 or 80 men. He is reported to be honest, industrious, and devoted to his family and the community. Except for his one offense his reputation is of the best.

He is vouched for by Judge Rogers, who presided at the trial; by the present judge, who was district attorney at that time; by the sheriff of the county; by the present district attorney, and by a majority of the jurors who tried him, among them being Hon. Dan Emmett, present assemblyman from Ventura County. Senator Duval of that county has also interviewed me in his behalf.

This is precisely the sort of case in which I am happy to grant a full pardon and restoration to citizenship. The offense which was committed, with fatal results to another, was one of such gravity that of necessity it could not be condoned. However, the fact that it was a first and only offense; that the resulting punishment was accepted with such a fine spirit; that after the term of prison and during the period of parole the former employers again came forward with a responsible position; that more than four years have elapsed since the parole expired—all these make this one of the best cases which have come to my attention.

As I have said in other instances of restoration to citizenship, when a man who has made a slip has subsequently fully paid his debt to the State, and has shown his desire and ability to become a respected member of society; when he has voluntarily and through his own efforts fully and conclusively demonstrated that he proposes to live a law-abiding, useful life; when he has done all this uncomplainingly, despite the handicap of loss of citizenship and civil rights; and when a sufficient time has elapsed subsequent to parole to thoroughly test the real character of the man—he is then entitled to consideration and help, rather than hindrance, from the State.

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of said State, in consideration of the facts which I have outlined above and in further consideration of favorable reports by the Advisory Pardon Board and others hereinbefore referred to, do hereby pardon the said Theodore (Ted) Lynch of the crime of involuntary manslaughter.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this eighth day of July, A. D. 1930.

[SEAL]

Attest: FRANK C. JORDAN, Secretary of State.

By FRANK H. COREY, Deputy.

C. C. YOUNG, Governor.

PARDON.

Clifton R. Ticknor, then going under the name of John Carter, on September 19, 1919, pleaded guilty to the violation of section 284 of the Penal Code, which provides for the punishment of one who knowingly and wilfully marries the wife of another. He was sent to San Quentin under the indeterminate sentence law, and was given a term of one year by the Prison Board. Through credits for good behavior, his term was shortened to ten months, and he was released on July 19, 1920.

There is some uncertainty as to the degree of Ticknor's guilt in this case. Although the judge and district attorney of Orange County, where the offense was committed, joined in saying that it was "without extenuating circumstances unless it was the infatuation he had for the woman," the defendant himself claimed that the woman had told him she was divorced, and that when he pleaded guilty as to marrying her, he was not aware that the crime consisted in wilful knowledge of its bigamous nature.

Aside from these considerations, however, this is manifestly a case where Ticknor's good conduct for a period of more than ten years since his liberation has earned for him a right to pardon and restoration to citizenship. Upon gaining his freedom he secured occupation as washer and floor hand in a San Francisco garage. He has been steadily employed in this one place for over ten years, and has gradually worked his way up to the position of general foreman and manager.

His employers now wish to aid him in securing a business of his own, and feel that his chances for success would be much better if so far as possible there could be a removal of the stigma created by his early indiscretion. This seems to be a case where voluntary rehabilitation has been so thoroughgoing that the State may well do its part by giving to Ticknor the opportunity he has striven so hard to deserve.

Now, therefore, I, C. C. Young, Governor of the State of California, do hereby pardon Clifton R. Ticknor of the crime of violating section 284 of the Penal Code.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of October, A. D. 1930.

[SEAL]

Attest: FRANK C. JORDAN, Secretary of State.

By FRANK H. COREY, Deputy.

C. C. YOUNG, Governor.

PARDON.

Andrew J. O'Keefe was convicted in San Francisco of the crime of second degree burglary, and on March 28, 1914, was sent to San Quentin, from which he was subsequently released on September 5, 1917.

O'Keefe about 8 o'clock on the evening of the burglary had been ejected from a saloon on account of his drunken condition. Later, about 9.15, he entered an apartment through a window which happened to be open, filled a couple of suit cases with clothing belonging to the occupants of the apartment, went out through the window, and when trying to escape was arrested.

This was the second time that O'Keefe had been convicted of burglary. In 1909 he had burglarized another house in San Francisco, had been sent to prison on September 27th of that year, had been released on parole January 27, 1913, and was finally discharged three months later. As in the case of the subsequent burglary, he claimed to be drunk at the time this crime was committed.

Six years before this first burglary, when a boy of about eighteen, O'Keefe was caught fishing from a stolen boat on the San Francisco water front; and although he claimed he had merely stepped into the boat as it was tied along the dock, he was nevertheless held guilty of the theft, and served six months in the county jail for petit larceny.

There is no doubt that from his early boyhood until the time he was convicted for his second burglary more than ten years later, O'Keefe was very far from being a promising or desirable citizen. During much of this time he was a heavy drinker, as had been his father before him. He was almost without education, having left day school at the age of ten on the death of his father. In view of O'Keefe's early habits, and the two felonies for which he served time in prison, it may appear strange that he should now be given a full pardon and restoration to citizenship.

However, among all the cases which have come to my attention, there is scarcely one in which there has been such complete rehabilitation as in this. It was during

O'Keefe's term in prison that he first acquired the ability to read books, and he has since done much in the way of self-education. Upon his release he procured employment with the Bethlehem Shipbuilding Corporation, and with his earnings supported his bedridden mother and his half-sister. During these three years he gained the reputation of being "sober, industrious and honest," and is highly praised as such by Mr. A. S. Gunn, the general manager of the corporation.

In February, 1921, he secured a position as motorman with the United Railroads of San Francisco, his exemplary conduct during the previous three years earning for him this position, though his prison record was known to the company. He has now served in this position for nearly ten years, and I am informed "has averaged but three or four days off per year during this entire employment." He continued to pay the expenses of his mother until her death, besides supporting his half-sister and his wife, whom he married after his release.

Soon after his release from prison, it appears that he was able to commence putting money in the bank each month, and one of those who have written to me concerning him is Mr. Joseph O. Tobin, vice president of the Hibernia Savings and Loan Society. Mr. Tobin says:

"Mr. O'Keefe has been a depositor in the bank since July 29, 1918. He is a hard-working, respectable man, and has succeeded in saving enough money to purchase his own home, and has also accumulated considerable funds which are on deposit with us."

Mr. Gus Lachman of Lachman Brothers, a furnishing establishment, has also written as follows:

"We have known Mr. O'Keefe and his wife for about ten years, and have been impressed by his honesty and industry. We understand that he now owns his home, and furnishings purchased from us during the above period have been promptly paid for. We feel that whatever his past may have been, he is now a law-abiding person, and in every respect competent to exercise the rights of citizenship."

Among a number of other letters of the same kind, I will quote from that of Charles Behrend, jeweler and optician, who has known O'Keefe as a neighbor. He says:

"He has been a neighbor of mine for the past eight or nine years. I know him to be able, industrious, and absolutely honest. He is a man who works almost every day in the month, and has acquired his own home through his hard work and economy."

Only two or three days ago I received a letter from A. W. Brohman, superintendent of transportation of the Market Street Railway Company, which, speaking of O'Keefe, reads in part as follows:

"He has been continuously in our service for the past nine years and has an excellent record. His immediate superior has informed me that he shows every evidence of being worthy of restoration to citizenship."

Aside from these who have been quoted above, and who have known O'Keefe during these thirteen years since his release, I have also before me a communication from Judge Frank H. Dunne, who presided at his trial for burglary, and another from C. M. Fickert, former district attorney, who prosecuted the case. Both of these strongly recommend that a pardon be granted to O'Keefe, and both state that "ever since his release he has worked steadily, has been sober, industrious, and honest," has not been in any trouble of any nature, and has earned a right to be restored to the rights and privileges of citizenship. In this judgment the present sheriff, W. J. Fitzgerald, and the present district attorney, Matthew Brady, also concur.

Before a pardon could have been granted, one thing more was necessary. O'Keefe had twice been convicted of a felony, and in accordance with article VII of the State constitution, executive clemency could not be granted except upon a recommendation of a majority of the justices of the Supreme Court. These justices have investigated the case, and in a communication signed by the chief justice and five of the associate justices, have recommended to me "that the application of Andrew J. O'Keefe, for a pardon, be granted."

I have reviewed this case at length, since to my mind it presents an admirable instance of the kind of case best deserving pardon and restoration to citizenship. A twice-convicted felon, of intemperate habits and with an exceedingly bad start in life, in some way pulls himself together during his second prison term, acquires something in the way of education, and on his release when over thirty years of age, has something about him that enables him to gain his own self-respect as well as the respect of all with whom he is brought into contact. I can not help feeling that such a man is more worthy of the assistance of the State than one whose life has never needed the rigorous training of self-discipline. His present attitude is well summed up by Attorney Edwin V. McKenzie, whom the court appointed to defend O'Keefe at his second trial for burglary, and who has known him intimately

ever since. In apologizing for so persistently calling the case to my attention, Mr. McKenzie says:

"I wish to urge in extenuation thereof the extreme anxiety of the petitioner to obtain a pardon. He looks upon the prior convictions as a terrible stain resting upon him. He is married, and he believes that this stain somehow affects his wife. His extreme anxiety for a pardon seems to the writer to be another evidence of his rehabilitation."

Now, therefore, I, C. C. Young, Governor of the State of California, do hereby pardon Andrew J. O'Keefe of the crimes of burglary and burglary of the second degree as hereinbefore set forth.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fourteenth day of October, A.D. 1930.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

COMMUTATION.

Horace Magee was convicted of murder by a jury in Riverside County and was sentenced February 29, 1908, to Folsom for life. He was then twenty-nine years old. He was released March 6, 1920, on parole. Since his release, as before his offense, he has been regularly employed as a cowboy by R. F. Carner, a cattleman of San Bernardino. During his parole his conduct has been uniformly good.

Prior to his trouble he was a quiet, peaceable young man, well liked in the community. He was one of several children in a pioneer family that lived near Temecula in the early days of San Diego and Riverside counties. His father was Irish, his mother Indian. The family was well respected, the father for many years being the justice of the peace at Temecula.

Christmas Eve, 1907, Magee went to Temecula, and, during the evening, to the local pool room. Meanwhile he had been drinking whiskey, and when he arrived at the pool room he was drunk. Several pool players and others were there, among them Svanguen, the local constable. Some of them jokingly tormented Magee, one of them burning him with a lighted cigar. He became angry and took off his coat to fight. Svanguen apparently pacified him, and the two shook hands. He put on his coat and was about to leave when suddenly he shot and killed Svanguen. In the scuffle that followed he also shot and killed Louis Escallier, one of the men who tried to restrain him after he shot Svanguen.

The judge before whom the case was tried is dead. Lyman Evans, the district attorney who prosecuted Magee, says in his report of the case that "that evening being Christmas Eve, Magee had procured some whiskey and was intoxicated. The parties were all well acquainted and had been for several years. The defendant had herded cattle for some years near Temecula . . . and seemed to have been leading a quiet and peaceful life. . . . Had he been sober I think there would have been no trouble . . . it seemed to be clear that he had not been in the habit of drinking liquor, and nothing seemed to be premeditated. The shooting was the result of his anger when influenced by liquor and when offended by nagging. . . . I have no doubt he will hereafter lead a quiet and hardworking life. . . . Having kept the parole for a long time, I see no objection to a pardon."

The quarrelsome effect upon an Indian of drinking whiskey is a matter of common repute. Magee's viciousness while drunk was due, perhaps, in part to his inheritance. This, of course, did not excuse his offense.

However, the record of the case shows with reasonable certainty that the slaying was upon a sudden quarrel or heat of passion that made it really equivalent to manslaughter, and was without that measure of premeditation or malice aforethought that should compel a conscientious sense of justice to raise the degree of the crime to murder. The verdict for the latter, rather than the former offense, can be sustained only by the assumption that seems to be negative by the conditions preceding the shooting; but that, nevertheless, must have been indulged by the jury—that in the short interval following the quarrel, Magee's anger had cooled, and that with malice aforethought, while free from his prior passion, he resolved and planned to shoot and kill Svanguen, as later he did.

The maximum penalty for manslaughter is ten years. Whatever part of his term exceeds this limit must find its justification, if any, in the improbable conditions so assumed by the jury. Of the twenty-two years of his term that already have passed, he served the first twelve in prison.

I have referred this case to the Advisory Pardon Board, the unanimous recommendation of which is that Magee's life term be commuted to that part of it now elapsed without prejudice to any further executive clemency that hereafter may seem appropriate.

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of the said State, do hereby commute the life sentence imposed upon Horace Magee to that portion of said term which has now elapsed.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this second day of January, 1931.

[SEAL]

C. C. YOUNG, Governor.

Attest: FRANK C. JORDAN, Secretary of State.

PARDON.

A. C. Halastik was convicted in Sacramento County of a violation of Sec. 288, Penal Code. On July 7, 1924, he was sentenced to San Quentin, where his sentence was fixed at six years. His term expired, with credits, on December 30, 1928. On May 22, 1926, he was paroled after actually serving eighteen months in prison. His parole period expired more than two years ago, and his record since his release has been satisfactory.

The offense of which he was convicted was that of improper acts toward a child of eleven and a half years. Assuming the truth of all the facts testified to at the trial, it would seem that they were the very minimum necessary to secure a conviction under this code section. The complaining witness testified that Halastik invited her and a girl friend to ride home from school with him, and that while riding in the car he placed his hand familiarly on her person but outside her clothes. There was no testimony as to any further advances, by word or deed. The girl also testified that prior to her occupation of the front seat, Halastik had treated her companion in the same way. The friend, however, had left the car before the complaining witness climbed from the rear to the front seat and hence could not corroborate the complaining witness' testimony as to alleged acts committed on her.

Halastik denied the alleged conduct, but naturally, having been alone in the car, was unable to introduce any corroborating testimony on his behalf.

It would seem that the foregoing, coupled with the rather severe punishment already undergone and Halastik's good conduct since his release from prison, might warrant executive clemency. Fortunately, however, we can go one step further, for considerable doubt had been cast upon the somewhat meager testimony given at the trial.

It will be recalled that the complaining witness was only eleven and a half years old at the time of the trial. In February, 1927, about three years after the alleged offense, at which time she was fourteen years three months old, she made an affidavit stating that she was taken to the district attorney's office without her mother being present; that she was embarrassed and frightened and did not realize the seriousness of the charges she was making, and that she made statements in his office and at the trial which were not in accord with the facts.

At about the same time the girl's mother and step-father made affidavits stating that for about six years, and up to within a few months of the alleged occurrence, the girl had been in an institution; that at the time of the trial they had been given no opportunity to observe her or to become familiar with her habits; that since the trial they had discovered her to be undependable and untruthful, and that they were of the opinion that an injustice might have been done. Both of them requested that a pardon be granted.

Ten of the jurors who convicted Halastik, one having died, and the other not being available, joined in a statement that they voted for a conviction largely upon the testimony of the complaining witness, but that since reading the affidavits of the father and mother they were in doubt as to Halastik's guilt, and joined in the request that a pardon be issued.

Hon. John F. Pullen, the judge who presided at the trial, has written me in part as follows:

"There was prosecuted in the superior court over which I presided a man named A. C. Halastik, for lewd and lascivious conduct. He was convicted almost entirely upon the testimony of a girl then about eleven years old, who testified that the defendant placed his hand upon her person, on top of her dress while sitting beside him in an automobile, and also agreed, according to her testimony, to meet her at a subsequent date in that vicinity.

A short time ago, the father and mother of this little girl called upon me and stated substantially what now appears in the affidavits of these two persons. I have not talked to the little girl herself, but there has been presented to me an affidavit by her, and I talked to an attorney with whom she has discussed the matter, and from these statements and affidavits I am of the opinion that Halastik was wrongly convicted of this offense.

Halastik, who is now on parole, naturally feels injured at what he believes was an unjust conviction, and is now seeking a pardon. From what I have been able to learn, from the sources named, I believe that he was convicted of an offense which he did not commit, and that it would be a just and gracious act for him to receive a pardon at your hands, and I therefore unite in the petition of the trial jurors, and the father and mother of the complaining witness that you will extend to him executive clemency."

An offense such as that involved in this case, if adequately proven and coupled with an intent to follow up more familiarity with more serious acts, merits severe condemnation and punishment. This case at the most only presents a record of

undine familiarity without any showing of an intent to go further, and even that showing has been restrained and shown to say the least. In view of the eighteen months actually spent in prison, the two years of the parole period, the time which has elapsed since the expiration of this period, and Halastik's good conduct during all that time, it seems only just to give him the benefit of the considerable doubt that reasonable men have as to the wisdom of his conviction, and to restore him to citizenship at this time.

My judgment in this matter has been reinforced by the unanimous recommendation of the Advisory Parole Board.

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of said State, in conformity with the laws which I have previously given, do hereby pardon A. C. Halastik of the crime of violation of section 288, Penal Code of the State of California.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this second day of January, 1931.

[SEAL]

Attest: FRANK C. JORDAN, Secretary of State.

C. C. YOUNG, Governor.

PARDON

Wm. J. O'Bryan was convicted of first degree murder in San Luis Obispo County in 1911, and sentenced to life imprisonment at San Quentin. He was received there on January 21, 1911. On March 14, 1921, he was released on parole, and allowed to return to Baltimore, Maryland, where employment was waiting for him. He has since then been steadily employed, and while out of direct touch with the California parole officers, has continued to send in his reports every month. From everything that can be ascertained his conduct has been uniformly good and he is now a law-abiding citizen.

The record of his conviction contains many circumstances which would lead one to believe that a verdict no greater than that of manslaughter would have been justified. O'Bryan was a stranger in San Luis Obispo, and the deceased was a member of a prominent local family. Feeling against him naturally ran high, and although there was a strong impression that the shooting was in self defense, and was certainly the result of a street quarrel, and not premeditated, the jury thought otherwise.

Ten years is the maximum penalty which could have been imposed had the jury's verdict been manslaughter. O'Bryan actually served a few months more than ten years. In addition to this, for nearly ten years he has been on parole, faithfully observing all the restrictions imposed thereby. He is now a law-abiding citizen, and the Advisory Parole Board has recommended the exercise of executive clemency in this case. After his long period of imprisonment and parole it seems fair to the man to remove his civil disability and restore him to citizenship.

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of said State, do hereby pardon Wm. J. O'Bryan of the crime of first degree murder.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of January, 1931.

[SEAL]

Attest: FRANK C. JORDAN, Secretary of State.

C. C. YOUNG, Governor.

PARDON

Miles H. Leibetter (S. Q. 48750) and Walter E. Evans (S. Q. 48749) were received at the county of inmates in Los Angeles County and on November 7, 1929, were sentenced to San Quentin for a term of one to fourteen years. They were received at that institution on July 2, 1930, and are there at the present time. Applications for executive clemency were submitted to me on July 19, 1930. I immediately referred them to the Advisory Parole Board, which undertook an intensive investigation of the matter. The report of the board, submitted in the form of a letter signed by Hon. H. L. Carnahan, chairman of the board, has just reached me, and is set forth in full.

"January 2, 1931.

Governor C. C. Young.

San Francisco, California.

DEAR SIR: At a meeting of the Advisory Parole Board held December 31, 1930, I was advised by the unanimous vote of the four members present to make the following report and recommendation to you respecting the applications of Walter E. Evans (S. Q. 48749) and Miles H. Leibetter (S. Q. 48750) for pardons.

August 30, 1929, Harry D. McDonald, who, by his own confession, had been twice convicted and imprisoned for violations of the Mann Act, and for about five years had been regularly engaged in the bootlegging business in Los Angeles, was arrested by the sheriff of Los Angeles County on a charge of conspiracy to violate the Wright Act. A few days later, while in jail, he made a pretended confession to the district attorney and to the grand jury, which, if true, involved more than fifty Los Angeles police officers with him in his various nefarious transactions. Of the officers named by him, seven

were indicted by the grand jury. Of the seven officers so indicted, one was acquitted by a jury; three were dismissed on motion of the district attorney, after a trial and a disagreement by the jury; one was dismissed on motion of the district attorney, on the ground of insufficient evidence, after a trial and a conviction that was reversed by the Court of Appeals; and two (Evans and Ledbetter) were sentenced to imprisonment in the State penitentiary, after a conviction that was affirmed on appeal.

The charge against Evans and Ledbetter was that they received a bribe of \$750 from McDonald upon their agreement not to arrest and prosecute him upon a charge of receiving stolen property which they were investigating.

Aside from his admissions respecting his bootlegging and his convictions and imprisonment for the felonies above mentioned, the substance of McDonald's testimony at their trial was as follows:

In August or September, 1927, he bought between twenty-five and thirty loose diamonds from Jack Hawkins, that he believed were stolen property. About a year later, during the latter part of September or the fore part of October, 1928, because he had been questioned concerning them by a policeman named Reavis, he telephoned Ledbetter, whom he knew, and with whom he was friendly. Ledbetter thereupon went to his place of business, which he operated nominally as a bath house, and told him to have nothing to do with Reavis, and that he, Ledbetter, would see Evans, to see what could be done. The following day Evans and Ledbetter called and talked to him in a lunch room adjoining the bath house, and said that Hawkins had been arrested in San Francisco, and had told about the sale of the diamonds to a police officer there who had written Evans, and that the case had been assigned to Evans; that because of their mutual friends Evans did not want to arrest McDonald; but that it would require \$1,000 "to take care of down town to square this beef." McDonald agreed to pay \$750. Later, the same day, Ledbetter telephoned McDonald that the matter had been fixed up for the agreed amount, and that he and Evans would be over to see McDonald the following morning. About 9 a.m. the following day, which was a Sunday, Evans and Ledbetter came to his home, and were admitted by Mrs. McDonald, who called him because he was not yet up. He dressed in his bathrobe, got from a drawer \$750 in bills, which he and Mrs. McDonald had counted the night before, and went into the living room where Evans and Ledbetter were seated, and gave the money to Evans.

Mrs. McDonald testified that she had helped her husband count the money, as he stated, and saw him hand the roll of bills to Evans.

Elizabeth Pierce, a maid of the McDonalds', also testified that while passing an open doorway of the living room she saw a roll of bills being passed from one hand to another, but that she did not see who gave or received the money.

There was no evidence corroborating the testimony of McDonald, unless proof that McDonald and Ledbetter and their wives were on friendly terms, was of such character.

The investigation made by the Advisory Pardon Board shows that Evans and Ledbetter did talk to McDonald at his bath house, and did see him at his home the following morning. Otherwise, the testimony of these witnesses is refuted by the following facts, as to which there appears to be no reasonable doubt:

Neither the San Francisco Police Department, nor any San Francisco police officer, made any report to the Los Angeles Police Department or to Evans of any statement of Hawkins concerning McDonald, or any sale of diamonds by the former to the latter.

During the evening of June 16, 1928, Mrs. Nick Oswald was held up in her home and robbed by a lone bandit of two valuable diamond rings. The next day acting Detective Lieutenant S. S. Stone and Evans, his partner, who also was a detective lieutenant, were assigned to that case. They promptly interviewed Mrs. Oswald and afterward, on the same day, her husband, who reported to them that he had been robbed twice, a few months before. Neither Oswald nor his wife could give the officers any information to assist them in recovering the diamonds or in apprehending the bandit. Some days later the officers took Mrs. Oswald to view a suspect, whom she did not recognize, and also to various pawnshops.

Lieutenant Stone was off duty Saturday and Sunday, July 7 and 8, 1928. On the morning of Saturday, the seventh, Oswald phoned Evans that McDonald some time before the robbery had admired Mrs. Oswald's rings and that possibly he had instigated the robbery or knew something about it. Evans reported this information to Captain Vernand, the officer in charge of the detective bureau at the University Police Station, to which Evans and Stone were attached, and asked Captain Vernand if any detective in the bureau knew McDonald.

The captain knew that Ledbetter, who was then employed in the investigation of traffic accidents, had formerly been on the vice squad, and therefore might know McDonald. When Ledbetter later came into the station Captain Vernand questioned him and found that Ledbetter was acquainted with

McDonald. The captain directed him therefore to assist Evans. The two went to McDonald's bath house about fifteen minutes after noon and talked to him in the lunch room adjoining it. McDonald denied any participation in the robbery of Mrs. Oswald, or any knowledge of it. He told the officers, however, that the description of the bandit fitted a brother of Zeke Hayes, who was working in a gasoline service station at Third street and Hobart boulevard. He also told the officers that he would see Zeke Hayes' sweetheart that evening, and to phone him at his home the following day, when he would tell them anything that he might learn from her.

Later the same day, while Evans was at the general hospital on another assignment, Ledbetter went with Mr. and Mrs. Oswald in their car to a place near by the service station, and sent them on alone to see if the employee in charge of the service station was Mrs. Oswald's assailant. Mrs. Oswald did not recognize him.

Sunday morning, July 8th, Evans and Ledbetter went to the Oswald home, where they saw both Oswald and his wife. From there, Ledbetter telephoned to McDonald at his home at 910 West 50th street in Los Angeles. McDonald told Ledbetter that he had some information for them. Evans and Ledbetter went directly from Oswald's to McDonald's, at the place above mentioned. McDonald told them that "Red" Hoyle had sold some diamonds to "Dago Charlie," and that since Oswald knew the latter, Oswald should first see him, and if Oswald should not succeed, the officers should then see him themselves. Evans reported to Oswald what they had been told by McDonald, and Oswald agreed to see Dago Charlie.

The following morning, Monday, July 9th, Evans told all of these details to his partner, Lieutenant Stone, and made the routine entries respecting them in the daily report book used by him and Stone. These entries were O. K.'d the same day by Captain Vernand, whose duty it was to inspect all such reports daily.

A few days later Oswald told Evans that he had seen Dago Charlie, but that the latter denied receiving any diamonds from Hoyle, or any knowledge of the robbing of Mrs. Oswald. Acting upon this information, Evans and Stone, July 18th, went to Dago Charlie's apartment and searched him, his apartment, and several others there present. They found nothing. Then they took him to the police station, and after questioning him without success for several hours, released him.

These and other efforts made by these two officers to locate the Oswald diamonds and to apprehend or identify the robber are noted in their report books, which are a part of the police files. These records show that the investigation by these two officers continued until July 25th, when their final report was made, and the case closed.

The records in the police department of the reports of Ledbetter, Evans and Stone were made as a matter of daily official routine. Of their genuineness there can be no doubt. The facts that they disclose show no incentive to Evans or Ledbetter to solicit or accept, or to McDonald to pay, a bribe. These facts also make it clear that Evans' interviews with McDonald were not on the initiative of Ledbetter, as McDonald testified, and that Ledbetter's participation was due to the accidental circumstances that Evans received the information from Oswald respecting McDonald, on a day when his partner, Lieutenant Stone, was off duty.

To refute the oral testimony of Evans and Ledbetter that the date of their call on McDonald at his bath house was July 7th, and at his home in Los Angeles July 8th—the police records were not admitted—McDonald testified in rebuttal that he and Mrs. McDonald moved to a bungalow in Venice the Sunday next before the fourth day of July, and that he was not at his bath house or his home in Los Angeles for the next two weeks thereafter. Mrs. McDonald also testified in rebuttal that McDonald was not in Los Angeles during this period.

The register of the branch of the Bank of America at Main and Washington streets in Los Angeles, of the visitors to the safety deposit vault—a record discovered since the trial—shows the signature of McDonald July 9, 1928, and that he opened on that day two safety deposit boxes that he kept there. It shows not only that he was in Los Angeles at a time which he denies, but also that his visit to the deposit vault was at the first opportunity to open his safety deposit boxes, after the afternoon of Saturday, July 7th, the time when Evans and Ledbetter assert, and the police records show, that they called on him at his bath house concerning the Oswald robbery.

The falsity of this testimony of McDonald and his wife becomes significant in another respect. In the face of the police records establishing the seventh and eighth days of July, 1928, as the dates of the calls of the two officers on McDonald, and the admitted fact that the maid, Elizabeth Pierce, was not employed in the McDonald home in Los Angeles until after August 8, 1928, the testimony of McDonald and his wife that the maid was present when the officers called at McDonald's home, as well as all of the testimony of the maid herself, appears only as wilful perjury.

These fabrications by these witnesses, coupled with McDonald's character as disclosed by his prior convictions of felonies, his business as a bootlegger, and his own pretended confessions to the district attorney and the grand jury, so far discredit all his other testimony that it should be utterly disregarded as evidence contrary to the positive denials of the police officers, corroborated as they are by the records to which we have referred.

The applicants have also presented an opinion of Mr. William R. McKay, the deputy district attorney who prosecuted the case, as to the sufficiency of the evidence at the trial to support their conviction. The substance of Mr. McKay's statement is that under the decisions of the Court of Appeal in *People vs. Davis* (62 Cal. App. Dec. 1) and *People vs. Sheffield* (63 Cal. App. Dec. 525), and the decision of the Supreme Court in the *Davis* case (80 Cal. Dec. 466) (all of which were rendered after the appeal of Evans and Ledbetter was determined), McDonald, his wife, and the maid were all accomplices. McKay's conclusion is as follows:

'In my judgment the evidence upon which the defendants herein were convicted was legally insufficient to sustain a judgment of conviction; and on that account it is my opinion that defendants herein are, and each of them is, entitled to a full and unconditioned pardon, and I so recommend.'

It, therefore, appears that these officers have been convicted upon evidence which not only was false, but which, if it had been true, was, nevertheless, insufficient to justify their conviction.

We advise that an unconditional pardon be forthwith granted to each of them.

(Signed)

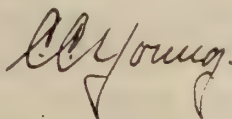
ADVISORY PARDON BOARD.
By H. L. CARNAHAN, Chairman."

This report is so complete and convincing that I feel that nothing further need be said in regard to these cases to justify the issuance of executive clemency.

Now, therefore, I, C. C. Young, Governor of the State of California, pursuant to the authority vested in me by the constitution and statutes of said State, do hereby pardon Miles H. Ledbetter and Walter E. Evans of the crime of bribery of which they were convicted as above stated and for which they have heretofore been committed to San Quentin Prison.

In witness whereof, I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this fifth day of January, A.D. 1931.

[SEAL]



Governor.

Attest: FRANK C. JORDAN, Secretary of State.

MESSAGE FROM THE ASSEMBLY.

Messrs. Morrison, Little and Israel, a special committee from the Assembly, appeared before the bar of the Senate and notified the Senate that the Assembly was now duly organized and ready to proceed with the business of the State.

Also:

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly is now duly organized and ready to proceed with the business of the State, having elected the following statutory officers:

Speaker, Hon. Edgar C. Levey.

Speaker, pro tempore, Hon. Chester M. Kline.

Chief Clerk, Arthur A. Ohnimus.

Minute Clerk, Louis F. Erb.

Sergeant-at-Arms, Arthur D. Ferguson.

Chaplain, Rev. Lawrence Wilson.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies, and appointed Messrs. Reindollar, Sewell and Patterson as such committee.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 1 ordered to enrollment.

ADJOURNMENT.

At two o'clock and seven minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until nine o'clock a.m., Tuesday, January 6, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, January 6, 1931.

The Senate met at nine o'clock a.m.

Lieutenant Governor H. L. Carnahan, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names :

Sensors Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 5, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Crittenden was, on motion of Senator Sharkey, granted leave of absence for this day.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, read and ordered printed in the Journal :

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.

To the Senate of the State of California.

I have the honor to transmit herewith, pursuant to the directions of the Legislature of 1929, the reports of the California Constitutional Commission and the California Code Commission, for the consideration of your honorable body. The reports of the California Crime Commission, California Commission on County Home Rule, California Irrigation and Reclamation Financing and Refinancing Commission, and the Commission to Study the Problems of Public Education, have also been delivered

to me, and are now being printed, so that copies should be available shortly for your use.

Respectfully submitted.

C. C. YOUNG, Governor.

January 6, 1931.

The reports of the California Code Commission and California Constitutional Commission will be printed in separate documents and appear in the Appendix to the Journals.

RECESS.

At nine o'clock and thirty minutes a.m., on motion of Senator Breed, the President declared the Senate at recess for the purpose of meeting with the Assembly in Joint Convention.

IN JOINT CONVENTION.

ASSEMBLY CHAMBER,

SACRAMENTO, Tuesday, January 6, 1931.

At nine o'clock and forty minutes a.m., the Senate and Assembly met in Joint Convention.

Hon. Edgar C. Levey, Speaker of the Assembly, directed that Hon. H. L. Carnahan, President of the Senate, and Hon. Arthur H. Breed, President pro tempore of the Senate, be escorted to the platform.

The President directed the Secretary of the Senate to call the roll of Senators.

SENATE ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Merriam, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams and Young—36.

The President declared a quorum of the Senate present.

Hon. Edgar C. Levey, Speaker of the Assembly, directed the Chief Clerk of the Assembly to call the roll of Assemblymen.

ASSEMBLY ROLL CALL.

The roll was called, and the following answered to their names:

Assemblymen Arnold, Badham, Baum, Biggar, Bishop, Bliss, Bonelli, Bowers, Brock, Clark, Cloudman, Cloudsley, Cobb, Craig, Crist, Cronin, Crowley, Dempster, Dilling, Easley, Emmett, Feeley, Feigenbaum, Fisher, Charles W., Fisher, Robert F., Frazier, Gillett, Gilmore, Golden, Gordon, Greene, Hawes, Hayes, Head, Hill, Hoffman, Honnold, Hornblower, Houser, Israel, Jespersen, Jewett, Jones, Jost, Kellogg, Kline, Little, Lyons, McDaniel, McGuinness, Meeker, Miller, Eleanor; Miller, James A., Morrison, Nielsen, Oliva, Parkman, Patterson, Powers, Quigley, Reid, Reindollar, Riley, Roberts, Robinson, Roland, Scudder, Seawell, Sewell, Snyder, Stockwell, Wakefield, West, Wilber, Williamson, Witter, Wixson, Wright, Zion and Mr. Speaker—80.

The Speaker declared a quorum of the Assembly present.

REGULAR ORDER OF BUSINESS.

By direction of the President of the Senate, the Secretary of the Senate read sections of the constitution of the State of California and sections of the Political Code of the State, which provide for the two branches of the Legislature meeting in joint convention for the pur-

pose of canvassing the votes cast for Governor and Lieutenant Governor, as follows:

Constitution:

Section 4. The returns of every election for Governor shall be sealed up and transmitted to the seat of government directed to the Speaker of the Assembly, who shall, during the first week of the session, open and publish them in the presence of both houses of the Legislature. The person having the highest number of votes shall be Governor; but in case any two or more have an equal and highest number of votes, the Legislature shall, by joint vote of both houses, choose one of such persons so having an equal and the highest number of votes for Governor.

Section 15. A Lieutenant Governor shall be elected at the same time and place, and in the same manner, as the Governor, and his term of office and his qualifications shall be the same. He shall be President of the Senate, but shall have only a casting vote therein.

Of the Political Code:

Section 1292. When an election has been held to fill the office of Governor or Lieutenant Governor, the clerk of each county, in addition to the abstract made for transmission to the Secretary of State, must as soon as the statement of the vote of his county is made out and entered upon the records of the boards of supervisors make two certified abstracts of so much thereof as relates to the vote given for such officers.

Section 1293. The clerk must seal up each abstract separately, and indorse thereon "Election Returns for Governor and Lieutenant Governor."

Section 1294. He must at once direct one copy to the Speaker of the Assembly next to meet, address it to Sacramento, California, and deposit it, postpaid, in the post office.

Section 1295. The other copy he must direct and address, in the same manner, and at once deliver it to a member-elect of the Legislature, or to a Senator who holds over; and the person to whom it is so delivered must deliver it to the Speaker on or before the second day next after his election.

Section 1296. The returns of election for Governor and Lieutenant Governor must, during the first week of the session, be opened, canvassed, and the result declared by the Speaker of the Assembly, in presence of both houses.

Section 1297. No declaration of the result, commission or certificate must be withheld on account of any defect or informality in the return of any election if it can with reasonable certainty be ascertained from such return what office is intended, and who is elected thereto.

ANNOUNCEMENT.

The Speaker of the Assembly announced that the election returns from all the counties in the State had been received and were now at the desk, and that the Joint Convention would proceed with the opening of the returns from the recent election for Governor and Lieutenant Governor of the State of California.

APPOINTMENT OF TELLERS.

The Speaker of the Assembly appointed as tellers on the part of the Assembly, Messrs. Hoffman, Craig and Gilmore.

The President of the Senate appointed as tellers on the part of the Senate, Senators Fellom, Inman and Cassidy.

Canvass of the returns was thereupon made, and the tellers reported:

FOR GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Governor of the State of California was announced as follows:

James Rolph, Jr.	999,393
Milton K. Young	333,973
Upton Sinclair	50,480

Whereupon, the Speaker of the Assembly declared James Rolph, Jr., duly elected Governor of the State of California for the next succeeding four years.

FOR LIEUTENANT GOVERNOR.

The total number of votes cast for each of the several candidates for the office of Lieutenant Governor of the State of California was announced as follows:

Frank F. Merriam	879,597
Martin I. Welsh	403,832
Chaim Shapiro	41,638

Whereupon, the Speaker of the Assembly declared Frank F. Merriam duly elected Lieutenant Governor of the State of California for the next succeeding four years.

APPOINTMENT OF SENATE COMMITTEES OF ESCORT.

Lieutenant Governor H. L. Carnahan, President of the Senate, announced the appointment of the following Senate committees on escort:

To escort Governor C. C. Young to the inaugural ceremonies: Senators McCormack, Wagy and Harper.

To escort Governor-elect James Rolph, Jr., to the inaugural ceremonies: Senators McKinley, Nelson and Young.

To escort Lieutenant Governor-elect Frank F. Merriam to the inaugural ceremonies: Senators Edwards, Baker and Allen.

APPOINTMENT OF ASSEMBLY COMMITTEES OF ESCORT.

Edgar C. Levey, Speaker of the Assembly, announced the appointment of the following committees on escort:

To escort Governor C. C. Young to the inaugural ceremonies: Messrs. Honnold, McGuinness and Cloudsley.

To escort Governor-elect James Rolph, Jr., to the inaugural ceremonies: Messrs. Hornblower, Witter and Patterson.

To escort Lieutenant Governor-elect Frank F. Merriam to the inaugural ceremonies: Messrs. Bonelli, Feeley and Israel.

INAUGURAL CEREMONIES.

Call to order of the Joint Convention of the Legislature of the State of California.

Hon. H. L. Carnahan, Lieutenant Governor and President of the Senate.

Hon. Arthur H. Breed, President pro tempore of the Senate.

Hon. Edgar C. Levey, Speaker of the Assembly, presiding.

Arthur Heft's concert orchestra: "Smiles."

REPORT OF COMMITTEES OF ESCORT.

The Senate and Assembly committees on escort appeared at the platform in company with His Excellency, C. C. Young, Governor; Hon. James Rolph, Jr., Governor-elect, and Hon. Frank F. Merriam, Lieutenant Governor-elect.

Invocation, Rt. Rev. Robert Armstrong, D.D.

Song, "America," led by Fred W. Links.

INTRODUCTION OF GOVERNOR C. C. YOUNG.

Governor C. C. Young was then presented to the Joint Assembly by the Hon. H. L. Carnahan, Lieutenant Governor of California.

ADDRESS BY GOVERNOR C. C. YOUNG.

Governor C. C. Young proceeded to address the Joint Convention as follows:

You whom we may soon be privileged to address as Governor Rolph, members of the Senate and Assembly of the State of California, fellow State officials, distinguished guests, ladies and gentlemen:

One of the copy-book maxims most earnestly dinned into our consciousness during our impressionable years is the very valuable truth that when we want to know how to conduct ourselves in any given emergency, our best possible teacher is experience. I imagine that this would apply to an inaugural ceremony as much as to anything else, and I shall accordingly try to shape my part in today's proceedings by the lessons I have learned from similar proceedings in the past.

This is the sixth inauguration which I have witnessed since I first came to Sacramento as an Assemblyman twenty-two years ago, and the fifth in which I have been permitted to sit upon the platform and assist in the ceremonies. From that vantage point I have been able to observe inauguration audiences, and I believe that experience has fairly well taught me what they want on an occasion of this kind. I am certain, at least, that it has taught me what they do not want.

In the first place, I am sure that they do not want long speeches. At any rate they have never wanted them in the past; and although experience fails to tell me anything about an inauguration with a military parade and a delightful dance to follow, I am reasonably certain that no one wants to see these interesting events postponed by a dry-as-dust discussion of government.

Of one thing I am very sure, that nobody wants an outgoing Governor to become obsessed with the hallucination that he is a particularly important part of the inauguration proceedings. I am also sure that no one wants him to attempt the utterances of pearls of wisdom which will insure that the State may keep on functioning properly after he is numbered with the departed.

In a word there is just one fact connected with Inauguration Day on which everybody will agree, namely, that this day belongs to our new Governor, and that all the exercises of the day should be arranged with that fact fundamentally in mind. It is a very important and very impressive thing to be inaugurated Governor of California, and it is well that our people from all directions should gather in large numbers at the State Capitol to extend to their Governor for the next four years that welcome which is his right. My part, therefore, is merely to add one more to the number of those who are extending to him this welcome.

Inauguration Day is simply a milestone along the road which marks the course of the State's history. To every Governor and his administration is given the burden of responsibility and the opportunity of service, as he sets out on his march upon this road. When his four years' journey is ended, and another milestone is reached it becomes his duty and privilege to transfer to his successor all that was placed in his hands at the beginning of his journey, plus whatever of value or accomplishment he has been able to create along the way.

I attempted to express this thought yesterday in the Biennial Message which I sent to the Legislature, when I said that the finest thing about the government of our American states is the recognition that it is a continuing function, where individuals mean little but where a continuous policy for the public welfare means much. For this reason, as I said in my message, I am happy to assume that your new Governor, whom you are about to inaugurate, will continue and improve upon all the constructive accomplishments which all his predecessors have woven into the fabric of the State's history.

Reverting for a moment to our figure of the milestone, where the old administration hands over its burden to the new, this may possibly be an appropriate place to take just a glance at the past and another glance at the future to see what one administration may have done to prepare the way for the administration which is to follow.

It was with a great deal of pleasure yesterday that I put into the hands of the Legislature my second biennial report of the stewardship which has been mine during the past four years. I was able to tell you that during these four years a rather chaotic and wasteful commission form of government has been reorganized into thirteen strong departments; that these departments have each month regularly rendered to the Governor's Council a comprehensive report of their activities; that for the first time complete executive budgets have been made, and that such economy of government has been exercised that the State's general fund surplus has been increased by over \$7,500,000.

I was able to report that a long-time construction program had been worked out, both for our State buildings and for our highways; that for the first time all the State's activities had been housed in State-owned buildings; that a sound foundation had been laid for the development of the State's water resources; that we had worked out a plan for conserving California's rich natural heritage of gas and oil; that we had inaugurated the acquisition of a State park system; that we had saved millions of dollars to California farmers through liquidating their reclamation debts; that we had provided aid for the needy aged and needy blind and had increased our

protective care of orphaned children; that we had organized new hospitals and new penal institutions, which should better serve the institutionalized wards of the State.

I pointed to all these and scores of similar accomplishments during the past four years, but dwelt particularly on the work we had done in preparing the way for still greater accomplishments during the four years to come. I told of the preparatory steps we had taken for linking the disjointed ends of our splendid highway system by publicly-owned toll bridges, among them the much-needed bridge across San Francisco Bay; of the studies we had made by which a new State constitution might soon become a reality; of the similar investigations which have prepared the way for legislation assuring home rule to counties; of the plans which have been perfected for a complete codification of our laws; of a hundred recommendations which are being offered for increasing the efficiency of our public schools; of many other ways in which the ground has been prepared for possible abundant harvests during the next four years.

Thus by employing the time of one administration, not only in performing its own tasks to the best of its ability, but by taking fast hold of all that is good in the administration that has preceded, and in turn laying out the ground for the administration which is to follow, we can be assured that State government may be a living, growing thing, constantly striving to carry forward the State's affairs nearer and nearer to the goal of its ultimate destiny.

Not only can one administration thus advance the State's welfare by building on to the constructive achievements of the past, but it can also profit by avoiding the mistakes that have gone before. For instance, when my own work began I might possibly not have been satisfied with appointing all my department heads and other administrative officials who of right should be named and retained at a Governor's pleasure. I conceivably might have wished to extend these "pleasure appointments" to those technical, educational or quasi judicial officials or boards which wise laws in the past have permitted to perform their duties during fixed terms of office beyond the influence of any spoils system or danger of political removal. But even if I had desired to do this, I was saved from such a mistake by remembering the storm of public disapproval which had greeted a similar former attempt, and which all the older legislators before me can recall as the ill-starred "Bromley Bill."

I have used this illustration simply to instance the fact that no administration can live to itself alone. Each one must build upon the work of its predecessors, and in building must avoid the quicksands which experience has pointed out as offering insecure foundations for a permanent public structure. The old conceptions of public office are buried in the limbo of a past generation. Government is no longer regarded as merely a medium for the bestowal of patronage or official favors, but is recognized as vastly important business, to be conducted in a businesslike manner for the material and social benefit of its stockholders, who are our citizens.

This has been our ideal of State government during the past four years, and I am happy to believe will be the ideal of the administration which we are inaugurating today. Never has an administration come in under more favorable auspices. I think I may be justified in saying that State affairs and State agencies have never been in a sounder or more healthy condition than at the present. We have all labored diligently to hand over our work to the new Governor and his aids in such shape that it will be easy to go on where we have left off without that lost motion which slows up business of any kind.

I think I may say that all of us who are relinquishing our tasks today have thoroughly enjoyed our work and the opportunities for service which have been ours. Nevertheless most of us are happy to give over these tasks into the hands of others, and in doing so have no other wish than to see them performed better during the next four years than ever before. As for myself, I am looking forward to the first real vacation I have had in a very long time, and it is with no mental reservation whatever that I repeat what I said yesterday in the foreword of my message, that "it is my sincere wish that the administration which is just beginning may achieve a governmental record better than any which has gone before."

In closing, I should be remiss if I did not give utterance to my heartfelt appreciation to those who have worked shoulder to shoulder with me during the past four years; to the army of faithful State employees who under Civil Service conditions will give to their new Governor the same diligent and loyal service which they have given to me and to my predecessors; to the Legislature without whose hearty cooperation none of our past achievements would have been possible; and finally to the people of California, of whom I said in my own Inaugural Message four years ago, that their heart is fundamentally sound—their ideals fundamentally high.

All these elements of our body politic have cheered me, and sustained me and helped me during the years that are past; and the one wish I would utter as I bid you all good-bye is that the same generous support you have given to me you will now give to your Governor and my Governor, James Rolph, Jr. May his administration be happy and prosperous and successful in the most abundant measure.

ADMINISTRATION OF OATH OF OFFICE.

Hon. James Rolph, Jr., took and subscribed to the following oath administered by Hon. William H. Waste, Chief Justice of the Supreme Court:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and discharge the duties of the office of Governor of the State of California to the best of my ability, so help me God.

"Hail to the Chief," Arthur Heft's concert orchestra.

Firing of the Governor's salute of seventeen guns.

Presentation of Governor's Colors to Governor James Rolph, Jr., by Brigadier General Wallace A. Mason.

INTRODUCTION OF GOVERNOR JAMES ROLPH, JR.

Hon. Arthur H. Breed, President pro tempore of the Senate, addressed the Joint Convention as follows:

Fellow Members of the Legislature and Fellow Citizens of California.

It is difficult for me to tell you with what delight and satisfaction I stand here today as your representative in extending your welcome and greeting to His Excellency, the Governor.

He was born and raised in San Francisco, drew his inspiration from his days at the old Lincoln Grammar School, and as "Sunny Jim" there got the vision of the city's destiny. My delight today is that I, too, was born in that city and drank of the same spring of knowledge at the old Lincoln Grammar School. I therefore count myself happy today to present to you as the Governor of the State, a man born in San Francisco, reared there, and nurtured in the same dear old Lincoln Grammar School.

The Governor, by his eminent business accomplishments and his public career, is so well known to you and the State that there is no need to introduce him here; for he stands before you with a great record of achievement as the mayor of San Francisco during the period of her reconstruction.

A generation ago fire humbled that city to the dust. She had, from her beginning, sat so proudly by the Golden Gate, her vision taking in not only the fertile and beautiful lands bounded by the Sierra on the east, with their minarets of snow, but she also looked out beyond the foaming shore, across the vast Pacific, which ever bears upon her bosom the approaching ships, laden with rich cargoes from the Far East and other distant lands.

San Francisco, proud in the memories of the past and of her achievements, sat by the Western Gate, dreaming of her wonderful future. Gay, happy, prosperous and glorious, she knew not of the catastrophe impending; yet in a tragic moment the splendid city was desolated by fire, and all but destroyed. The world, shocked and aghast at the magnitude of the calamity, wondered if it were possible ever to bring the city back again. But the world did not have to wait long for an answer. With heroic courage and undaunted spirit, the San Franciscans at once proceeded to the work of reconstruction and carried it forward with such energy as to perform in so short a time the miracle of creating the mightier city we now see.

Conspicuous among the great leaders in the work was James Rolph, Jr., then a young man filled with zeal and devotion to his beloved but stricken city. He wrought mightily in the great endeavor. Soon he was made the mayor and for nearly twenty years he was, as mayor, the ruler of that city, seeing to its development, watchful of its interests, and guiding it onward toward the realization of the hopes and aspirations it has ever cherished—to be the city beautiful, a metropolis of the Pacific and a leader in the world's civilization.

Sir! Much has been done in that respect through your leadership. Lofty buildings; noble school edifices have arisen; commodious wharves and docks line the water front; spacious and beautiful parks are everywhere. Then, too, there is the Civic Center, that dream of loveliness, where the stately classic buildings in their beauty face the flowing fountain in the midst of the public square, all dominated by the magnificent City Hall, with its wonderful dome, ever beautifully silhouetted against the blue heavens. The citizens of San Francisco have won the applause of the world by what they have done under your leadership, Governor Rolph. You now are come to the governorship, the rulership of the State of California, trained by the varied experiences gained as mayor of San Francisco. Heavy was the burden you there carried, troubling and at times most baffling were the problems solved in the struggle that went forward under your leadership to bring from chaos into orderly being that noble city.

Sir! As you had the vision for the work at San Francisco, so, I believe, you have the vision for the greater development of California. This vast State, with its varied resources of forest and field and mineral wealth, its beauty of mountain and plain and sea, is to be, in my opinion, the producer of the finest civilization the

world has ever seen. In my opinion, man will also reach his highest development here and his genius will shine forth here in noblest civilization with a culture and art and literature surpassing all that has ever yet come forth.

Sir! Under your experienced guidance, I believe California is to be more rapidly advanced to its leadership of the world.

Governor Rolph, on behalf of the members of the Legislature of California, sitting here today in joint convention, I greet you and welcome you to the governorship, and pledge to you their hearty cooperation and support to make your administration triumphant.

INAUGURAL ADDRESS OF GOVERNOR JAMES ROLPH, JR.

Governor James Rolph, Jr., proceeded to address the Joint Convention as follows:

To the Senate and Assembly of the State of California.

Let me open my Inaugural Message to the Legislature by greeting you for the first time in formal assemblage and thanking you collectively for the promises of help and cooperation which so many of you individually have tendered to me since my election to the office of Governor of California.

If denied such help and cooperation I would be greatly handicapped, since the ablest and most experienced of Governors could accomplish little without the good will of the Legislature, and I lack the benefit, enjoyed by so many of my predecessors, of long training as legislator or administrative official in handling the peculiar and difficult problems of the State government. I come to my new tasks with much diffidence. What confidence I may feel today is due to your kindly attitude, the consciousness of my own zeal to serve well our State and its people who elected me by so overwhelming a majority, and a hope that my 19 years in the office of mayor of San Francisco will prove to have taught me something, at least, of the science of government.

In assuming the duties of this great office, to which I have been called by nearly 1,000,000 men and women, I bespeak the good will and cooperation of all of my fellow citizens regardless of affiliations in order to secure during my term of office peace and plenty to the people of the State and the greatest of opportunities for their children to grow in wisdom and in grace as they grow in years.

The conventional function of an inaugural address is to outline plans and policies of political and governmental nature which the newly inducted incumbent proposes to launch and promote during his administration, and I intend to follow that course in this address; but I delay doing so in order to speak briefly of the fundamental ideas which it is the function and purpose of all true governments and wise administrations to bring about.

The constitution of the United States declares that it is designed to promote tranquillity, promote the well-being of the people, establish justice and secure the blessings of liberty; and these are the beneficent ends which I have ever in mind.

At the moment I speak of only one of them.

Tranquillity is a fundamental requirement to happiness and contentment, and it is therefore desirable that our people should be as free from strife and vexatious contention as is consistent with the frailty of humankind.

The first requisite is a large toleration of views which are not peculiarly our own. I do not mean a so-called toleration which will abolish all ideals and principles, but that abounding charity whereby we will be enabled to enter into the spirit underlying the views of others and to live in harmony with them, although there may be differences, say, marked differences, in many matters, including those of religious, political, social and economic natures.

There is a certain ferocity for righteousness which brings about turmoil and strife to no end and this is altogether to be deplored as inconsistent with the general well-being of the people.

I bespeak therefore a disposition among all of our people to bear with one another in the differences which naturally exist among us in order that we may all cooperate in the many matters in which we are or should be in full accord. If we take counsel among ourselves in a spirit of true charity we are certain to be a harmonious and happy people.

I have already mentioned justice, liberty and the general welfare, and I need not stop to dwell thereon.

These then make up my fundamental creed.

I come now to speak of practical measures designed to be helpful to those who are capable of carrying through to destinies of success, and for the care of those who have been unequal to or have been overthrown in the struggle of life. In these two great objectives, I include all good ends and the means by which they are attained.

HUMANITARIAN TREATMENT OF THE STATE'S DEPENDENTS.

The greatest business of the State is the business of government, and it is the least understood. Government should be conducted on lines of economy, but not on a basis of parsimony.

the fact that the people rightly have materially reduced the taxes on the electric railroads and thus stricken \$1,250,000 from the normal revenue, and that reductions in rates made by the Railroad Commission, by reducing the gross revenues of the utility companies affected, will cause a material reduction of the State's percentage of those gross revenues. In other words, this administration at its beginning is faced with unusual and urgent demands, and a diminished revenue with which to meet them. Fortunately, on the other hand, we face this situation with a surplus of approximately \$30,000,000 in the State treasury.

For the solution of this imperative fiscal problem I invoked the aid of Mr. Rolland A. Vandegrift of Los Angeles, who has a thorough knowledge of the State's financial affairs, and has been appointed by me to the office of Director of Finance. My instructions to him for the preparation of the Budget were to provide liberally for all the proper needs of the various institutions and departments, giving consideration to their recurring biennial requirements for expansion to serve a rapidly increasing population; to see to it that there should be no let-down, but should be an orderly extension of the humane service which the State owes and is giving to the sick, the insane, the blind, the indigent, the orphan, the widow, the veterans, and to all its wards; to make generous allowance for an intelligently planned building and road program in order to provide employment urgently needed by so many worthy men and women in these days of stress; but, at the same time, to hold every branch of the government to the strictest standards of economy consistent with efficiency; and, finally, to cast the results of his work into an honest, candid and complete Budget, which will recite the whole story, without evasions, concealments, or any of the tricks by which prodigality is sometimes disguised in the modest livery of thrift.

That Budget will be laid before you. It will tell its own tale. I think it meets the standards which I set for it. In my judgment it does not fail on the side of either liberality or frugality. Naturally and properly it will dip into the surplus to meet the extraordinary requirements of our unemployment problem and our special building program. The use of a surplus is to act as a surge chamber in times like these when there is an unusual gap between revenue and expenditure. A substantial but not excessive surplus should always be maintained, and the surplus, when depleted below the safety point, should be rebuilt. The inroad on the surplus necessitated in the approaching biennium is an emergency and will not recur in the absence of extraordinary conditions.

As the situation now presents itself, there will be no occasion to seek additional sources or increased rates of revenue in the biennium commencing July 1st of this year, or, so far as we can foresee, in the succeeding biennium. The normal increase in revenue should take care of the normal increase in expenditure and the end of the four-year period ahead should see the surplus replenished and adequate to serve as a cushion in future abnormal periods as it has done in the current abnormal period. I am well aware that State and local taxes, in California, as elsewhere, have become a serious burden on real estate, agriculture, industry, business, and the whole population. To keep taxation as low as possible without impairing the service which modern, humane and civilized government ought to render to the public will be my constant concern.

We must expect a state whose population and industries are growing as rapidly as those of California to require a normal increase in governmental expenditures from biennium to biennium.

The budget to be laid before you, however, calls for an increase in the biennium commencing July 1st next of less than 4 per cent over the expenditures for the current biennium, as compared with increases in the previous three bienniums ranging from 20 per cent plus to 23 per cent plus. True, the figures for former bienniums include the special appropriations, but our proposed Budget contains items aggregating a considerable amount which have formerly been omitted from the Budget and provided for by special appropriations. I urgently ask your cooperation in order to keep the special appropriations of this session to the lowest possible amount, and to bear in mind the difficult financial condition presented by the estimated falling-off of normal sources of revenue and the fact that those who actually pay the taxes can not afford in this period to assume heavier tax burdens.

The building and general construction program contemplated by this Budget represents items which must be done and may economically be done at the present time. Many other worthy projects will be urged upon you, no doubt, but we who are responsible for the State government must not lose sight of the basic economic truth that the present stringency is due to the diminished purchasing power of the people and we can not augment that purchasing power by exacting more taxes from them. In other words, we can not spend ourselves rich. We must defer, until more propitious times, all extensions and increases in governmental expenditures that can be postponed with reasonable regard to the State's welfare.

For your information I include in this Message, but shall not take time to read, a comparative statement of expenditures for the ten-year period, July 1, 1923, to June 30, 1933. You will see it in the printed copies of this Message.

There may be some slight change in the amounts and percentages for the biennium commencing July 1, 1931, due to modifications of the budget subsequent to the printing of this Message.

STATE OF CALIFORNIA COMPARATIVE STATEMENT OF EXPENDITURES FOR THE TEN-YEAR PERIOD, JULY 1, 1923, TO JUNE 30, 1933.

<i>Fiscal years of biennium</i>	<i>Date limits of bienniums</i>	<i>Total expenditures for bienniums</i>	<i>Percentage of increase</i>
GENERAL BUDGET.			
75th and 76th-----	1923-1925	\$39,229,690 20	
77th and 78th-----	1925-1927	46,082,607 08	17.467
79th and 80th-----	1927-1929	54,649,849 53	18.592
81st and 82d-----	1929-1931	63,842,095 00	16.82
83d and 84th-----	1931-1933	68,483,622 00	7.27
EDUCATIONAL BUDGET.			
75th and 76th-----	1923-1925	\$54,332,242 80	
77th and 78th-----	1925-1927	63,519,574 89	16.910
79th and 80th-----	1927-1929	72,461,292 37	14.077
81st and 82d-----	1929-1931	80,206,130 00	10.69
83d and 84th-----	1931-1933	86,439,322 00	7.77
HIGHWAY BUDGET.			
75th and 76th-----	1923-1925	\$47,797,851 58	
77th and 78th-----	1925-1927	64,823,402 42	35.620
79th and 80th-----	1927-1929	82,692,642 39	27.566
81st and 82d-----	1929-1931	111,111,608 00	34.37
83d and 84th-----	1931-1933	110,383,010 00	.656 reduction
TOTAL BUDGET.			
75th and 76th-----	1923-1925	\$141,359,784 68	
77th and 78th-----	1925-1927	174,425,044 39	23.391
79th and 80th-----	1927-1929	209,803,784 29	20.283
81st and 82d-----	1929-1931	255,159,833 00	21.62
83d and 84th-----	1931-1933	265,305,955 00	3.976

A PERMANENT TAX COMMISSION APPROVED.

In view of the interrelation of State and local taxation, the unremitting pressure to persuade the State to take over functions formerly financed by the localities, the recurring demands for "equalization" of State and local tax burdens in the absence of adequate information or fixed standards on which to base equalization, and the obvious need of a uniform system and standards of making assessments in the counties, the State should maintain some centralized supervision of local taxation above definite limits at least to the extent of accumulating information and investigating and advising the local taxpayers on the merits of proposed major expenditures or commitments.

I recommend the creation under an elective State board of a permanent, non-political, fact-finding bureau, staffed by men who have not only technical knowledge, but also practical experience in the field of taxation. That agency should devote its entire time to the task of establishing facts bearing on the tax problems of the State and its subdivisions, but its powers should be limited to fact-finding and reporting information for the benefit of officials and the public. No effort at lightening the burden or, if need be, reforming the system of taxation, can be intelligently carried out unless the facts are ascertained and available. The difficulty of ascertaining such facts by occasional and temporary commissions has been admitted by such commissions and is evidenced by the impossibility of determining with any degree of accuracy from data at hand the relative tax burdens as between the various classes of property, the various political subdivisions, or the State and the counties. The services of this staff of experts should be available to the counties, cities, and other taxing political subdivisions on payment to the State of the actual cost of the service rendered. This recommendation is substantially in accord with the report of the Joint Committee on Taxation.

One of the grave evils of our present system is the piling up of special assessments, especially on real property. In many instances the accumulation of such special assessments is tantamount to confiscation. Benefits from such special assessments are often remote or imaginary but the assessments are very real and must be paid in legal tender. We find cases of farmers and homeowners paying more in taxes and assessments than their land will bring. Proper restrictions on the levying of special assessments should be imposed by the Legislature.

INCREASED APPROPRIATION FOR THE GOVERNOR'S OFFICE.

You will observe, on reading the Budget, that despite these counsels of economy, the increase in the appropriation for the Governor's office considerably exceeds the average of increases for other departments. In order to set an example, my predecessors, with the best of intentions, but, in my opinion, mistakenly, have refused for some years to permit any enlargement of the office staff in order to handle the normal growth of the business of the office. For the same reason they have prevented any provision for an automobile for the Governor although the State provides automobiles for many other officials. But the work had to be done. My predecessors have borrowed employees and automobiles from other offices so

that the frugality exhibited in the Budget was no saving to the Treasury. Pursuant to my determination that my Budget, whatever its shortcomings, shall present a complete and true picture of the fiscal situation, I have had all the Governor's expenses charged to the Governor's appropriation without camouflage. The Governor's office staff is considerably smaller than the staff of the mayor of San Francisco. I am confident that the people of California are not aware that their Governor has no official automobile and will not begrudge him the additional help and the means of transportation which the business of the office requires. As the Budget does not become effective until July 1, and the increases in the staff and the purchase of the automobile should be made at once, an addition has been made in the Governor's contingent appropriation out of which the Governor may make such payments as will fall within the remainder of the current fiscal year.

OFFICIALS REQUESTED TO REFRAIN FROM LOBBYING FOR APPROPRIATIONS.

Since the Budget, as presented, represents an earnest, and, in my judgment, a successful effort to be not only just but liberal to the institutions and departments, I will expect public officers and employees under the Governor's jurisdiction to refrain from seeking, directly or indirectly, additional appropriations. Lobbying for appropriations is not the proper business of officials of the State government. Officials who can afford to spend their time in the lobbies proclaim themselves superfluous.

REAPPORTIONMENT.

One of the most important and difficult duties of the Legislature at this session will be the reapportionment of the State into congressional, senatorial, and assembly districts. According to the Federal Census of 1930, California is entitled to nine additional members of the House of Representatives, making twenty in all. Section 6 of article IV of the State constitution, as amended in 1925, requires the Legislature at the first regular session following each decennial federal census to adjust the legislative districts and reapportion the representation so as to preserve the assembly districts as nearly equal in population as may be; *provided, however*, that no county or city and county shall contain more than one senatorial district, and the counties of small population shall be grouped in districts of not to exceed three counties in any one senatorial district. In case the Legislature fails in its duty to reapportion the State, the task is made to fall automatically on a reapportionment commission, consisting of certain designated public officers.

Our scheme of popular government contemplates that the congressional and assembly districts respectively shall each contain approximately the same population so that representation shall be fair and equal. Unfortunately, the political history of this country affords numerous instances of "gerrymandering" by which tricky reapportionments have been made to give undue advantages to particular parties, politicians, or localities. I trust that this Legislature will approach the task without regard to sectional, individual, or party interests and will make a reapportionment of both congressional and legislative districts in conformity with both the letter and the spirit of the federal and the State constitutions and the traditional American idea of equal and local representation. Only such a reapportionment will satisfy the people of California.

STATE'S WATER PROBLEMS.

Only a brief reference to the water problems of California is possible in this Message. I assure the Legislature and the people, however, that I am not unmindful of those problems; the problems of flood control in the northern valleys and in the Santa Ana River system, of saline encroachment in the lower reaches of the Sacramento River, and of the drying up of the lands in certain southern sections of the San Joaquin Valley. A coordinated solution of these problems has long and earnestly been sought. Surely, in California, where water is so precious, the State must devise a general unified plan for the conservation and use of its water against the increasing needs of its increasing population and the demands of the coming generations whose stewards we are. No complete or satisfactory solution has been found yet although the elaborate and expensive studies heretofore made will doubtless aid in the ultimate determination of a plan. The difficulties are mainly financial. Economically, the cures proposed thus far seem about as bad as the disease. We may not rob or wreck one section, industry, or group in order to sustain another. We must not spend more in salvaging lands than the lands will be worth when salvaged. We can not impoverish the farmers of any section in order to bring under cultivation lands whose yield will merely augment the existing overproduction of farm products. As the Joint Committee of the Senate and Assembly said in its Final Report, submitted January 18, 1929 (p. 15), "development should not proceed more rapidly than economic needs of the State require." We must be sure we are right before we go ahead with any plan. Yet we should not permit any section, industry or group to languish and suffer unduly for lack of energetic action on the State's part. I stand ready as Governor to give the Legislature and the distressed localities all the assistance in my power toward finding a practicable solution of these pressing problems. We must not approach these problems in a narrow or sectional spirit. While the benefits sought may primarily affect certain localities, the evils we seek to cure have been brought into being by causes that are not local. Every irrigationist

along the upper stretches of the Sacramento, the Feather and the American rivers has contributed to the slow salting of the distant delta by tidal trespass. We can not heal these real woes by sympathy or fair words, however sincere. Distinctly, the duty of relieving the acute situation caused by the uneven distribution of our water resources and the growing demand on them is mainly the business of the State and not solely of the affected localities. The Hoover-Young Commission has submitted a report. To give that report the serious consideration which it merits will be one of your duties and mine during the current session of the Legislature.

Fortunately, definite progress has been accomplished toward the construction of the Colorado River Dam and thereby toward relief of the great and populous coastal plain of southern California from the menace of a water famine. All the forces of the State government will be constantly available to aid in smoothing out the obstructions that still lie in the way of the completion of the Boulder Dam.

Nor must we forget that water is not the only natural resource of California calling for conservation. Our wealth of natural gas must not be wasted. The water will continue to flow so long as the snow and rains continue to fall, but natural gas once escaped can not be recaptured and the supply is not inexhaustible and can not be replenished. So, too, our forests, which, once destroyed, can not be replaced for ages, present an acute problem. They must have adequate protection from destruction by fire through wise, preventive measures.

OIL AND GAS INDUSTRY.

I commend to your careful consideration various matters concerning the oil industry of California. It is one of the greatest industries of our State and deals with our principal natural resource.

Of the total production in 1929 of 1,007,323,000 barrels of oil in the United States, California alone produced 292,534,000 barrels, having a value at the well of \$321,367,000.

For the year 1929 our export shipments of petroleum products have an estimated value of \$141,102,094.

The natural gas supply of the State developed concurrently with the oil is of tremendous importance. Nine hundred and eighty-six million cubic feet per day, equivalent in fuel value to 43,611 tons of coal, are now being utilized in California, but unfortunately 409,000,000 cubic feet per day are being blown into the air.

The last Legislature passed legislation designed to protect our oil and gas resources against waste. The Supreme Court of our State has upheld the constitutionality of these provisions. I consider that the present law should receive your serious consideration in the event that you should deem it wise to fortify its provisions and to enlarge the authority of the State in preventing the wasteful production of oil as well as of gas. California, Oklahoma and Texas have dealt intelligently with this subject, each state along different lines, and I believe that our Legislature may profit from the efforts of our sister states as they from us.

Much has been accomplished through the voluntary effort and cooperation of California producers in confining the production to the demand and preventing waste. By voluntary curtailment California producers are producing less than 600,000 barrels per day as against a potential production of over 1,100,000 barrels per day. New fields and deeper sands are coming in, and the problem is one in which the industry should have the cooperation of the State authorities. The Federal government has already announced its preparedness to cooperate, so far as the government-owned lands are concerned. But the question is primarily one for the State to deal with.

Curtailling crude oil and gas production and preventing waste in the extraction of those irreplaceable products is but one step in conservation. Orderly and economic marketing of the manufactured products is an essential part of their conservation. The demoralized marketing conditions which have occurred from time to time during the past years, the so-called price wars, are beneficial neither to the industry nor its employees nor to the consumer. Your attention is invited to a consideration of the provisions of our anti-trust laws and to the question whether or not legislation may not be advisable under which reasonable trade agreements and such as are in the public interest might be authorized by properly constituted authority. Law-enforced compulsion, particularly in the production and distribution of the products of our natural resources, is apt to be harmful rather than beneficial to the public interest.

GASOLINE TAX FRAUDS.

Finally, in this connection, I direct your attention to the situation with respect to the so-called gasoline tax of three cents per gallon. I find that the law has been evaded and violated to an undeterminable but appalling extent. The amount of the tax added to the cost of gasoline is borne by the consumer, though payable by the distributor, and on admitted returns of sales more than \$700,000 is overdue in gasoline taxes. Some of these sums aggregating hundreds of thousands of dollars have been due since June 30, 1930. When it is borne in mind that by not returning the tax to the State the distributor is enabled to undersell his competitor who does pay the tax by three cents per gallon, it is obvious that the retention of the tax by the seller renders it a vehicle for price-cutting of the most

vicious form, to wit, at the expense of the State. I am also led to believe that other frauds exist, such as the sale of gasoline within the State which is reported, however, as having been delivered for shipment without the State and therefore as nontaxable. Severe penalties should be provided for the violation of the law and its evasion more strictly guarded against. The quarterly period for paying over the tax should be shortened. The tax is now collected without cost to the State. It would be better, in my opinion, if the collection of the tax were paid for under a system which would ensure a better enforcement of the law.

RECLAMATION AND FLOOD CONTROL.

I have inherited from previous administrations a tremendous and pressing problem in the reclamation and flood control projects in which the State of California is interested. It would be impossible at this time to review in detail the many ramifying aspects which are presented and, therefore, I shall advert only to the principal policies which shall govern my administration regarding them. The importance of the subject is readily apparent when it is understood that the Sacramento and San Joaquin Drainage District, a State agency, comprises 1,115,000 acres in the Sacramento and San Joaquin valleys, and that the California Debris Commission has estimated that the project completed will cost \$51,000,000.

The above estimate grew out of the commission's report of 1925, sometimes referred to as the "Grant Report," and sometimes as the "Revised Report," which was adopted by Congress and approved by President Coolidge, February 28, 1928. This report has also been adopted by the State of California, and is the basis for the participation of the State government, and the landowners affected, with the federal government. It recommended that the annual appropriations from the federal government be increased from \$500,000 to \$1,000,000 per year, the limit set by the existing law, which recommendation was adopted by Congress in the enactment of the Curry Bill in 1929, under which the federal government appropriated \$1,000,000 as its yearly contribution, whereupon the State of California matched this amount by appropriating \$1,000,000 for each of the 81st and 82d fiscal years, the latter ending June 30, 1931.

The basic understanding behind these appropriations was that the costs of the great works of flood control and reclamation should be borne one-third by the government of the United States, one-third by the State of California, and one-third by the landowners living within the defined area. The program for the fiscal year ending June 30, 1932, so far as the federal government is concerned, already has been approved by the Chief of Engineers and is based upon the federal appropriation of \$1,000,000 for work during that fiscal year. The obligation of the State of California to make equal appropriations with the federal government has been many times definitely stated and publicly recognized, and in order that the State of California shall do its full part I have caused to be inserted in the Budget of my administration for the 83d and 84th fiscal years an appropriation of \$2,000,000, and I have no hesitation in stating as a definite policy that the State of California during my tenure of office will continue to go forward in step and in alignment with the government of the United States toward the completion of the tremendous works of improvement contemplated by the report of the California Debris Commission.

There is another problem involved in these policies which appeals to me as being of even greater importance and concern. I refer to the pressing plight of the landowners and farmers whose holdings are situated not only within the boundaries of the Sacramento and San Joaquin Drainage District but also within the confines of separate and distinct reclamation and irrigation districts superimposed as it were upon the land of the greater district.

The homes, the holdings, and the very existence of these landowners are imperiled by the appalling underlying reclamation and irrigation tax burdens upon their lands. It is now a matter of common occurrence that banks in many cases have refused originally to grant, or, in other cases, to renew, mortgages upon these country lands because of the staggering liens from reclamation and irrigation taxes which would be anterior to the ordinary land mortgage. In many cases the ruin of a life's work and the destruction and loss of all he possesses stare the landowner in the face.

The State should find some means of assisting these farmers and citizens. In the Sacramento and San Joaquin Drainage District alone in November, 1930, as evidenced by assessments No. 2, No. 6 and No. 7, there was still outstanding against affected lands the large sum of nearly \$7,000,000 in underlying liens. The unfortunate part of the situation is that in addition to this huge sum the lands involved are in turn again situated in smaller districts, and the lands have again been saddled with large underlying liens imposed for the purpose of creating and completing the local problems of reclamation and irrigation.

As I said before, this phase of the reclamation tax problem appeals to me most strongly, and I shall do everything in my power during the coming years of my administration to lessen and alleviate it. I hope that with careful study and intensive analysis some means will be found whereby the State itself can be of aid in refunding and refinancing the reclamation and irrigation liens and encumbrances. I pledge myself and my administration to use every means at our disposal not only to fulfill the obligations of this State in the completion of its great

reclamation and drainage projects, but also to aid and assist by every means possible the landowners and agriculturists who are so vitally threatened.

SCHOOLS.

Our public school system is properly one of the main concerns of the State government. With respect both to physical equipment and teaching staff the public schools of California will stand comparison with those of any other state. We do not begrudge to our schools any amount of money that they may need for sustaining and advancing their high standards. But our educational budget now absorbs more than one-third of the total expenditures of the State. I am convinced that much expense could be avoided and, at the same time, a notable improvement in the results obtained if in the education of our children more attention were paid to fundamentals and less to non-essentials. All comparatively useless subjects should be eliminated from the curricula of the elementary and high schools. The oversupply of qualified teachers in the United States suggests that perhaps our teachers' colleges do not need to expand as rapidly as their faculties and local supporters may desire them to do. It is no kindness to train young women at great expense to them and the State for teaching positions which they are not likely to find.

The teachers are an earnest and hardworked body of public servants. I recommend particularly to your consideration the enactment of a new or amended and improved Teachers' Retirement Salary Act providing increased retirement salaries, but any act adopted should be actuarially sound.

Competent teachers should be protected in their positions by a just and reasonable tenure law. Teachers, moreover, are entitled to longer notice of dismissal than is provided in the present law. In any changes made to the tenure law, the first consideration should be the protection and benefit of the pupils, and, second, the security of the teachers in their positions.

Study should be made of the overlapping of services by various groups of educational institutions. This overlapping has been brought about by the growth of the junior colleges, the addition of a fourth year to the courses in the teachers' colleges, and the expansion of the State University.

The liberal financial support of the public schools, junior colleges, State teachers colleges and universities, will always have my favorable consideration.

AGRICULTURE.

Agriculture is a method of living rather than a business, so the very first consideration must be given to the people living on our California farms, and, to keep them there, their method of living must be made a paying business.

When a delegation of dirt farmers called upon me last month, several of its members spoke of the difficulties of holding their sons on the soil.

For the protection of our farmers we have built up a system of quarantine, inspection laws, pest and disease control and standardization practices. But we have neglected to strike a proper balance between production and marketing. The farmer has been taught to produce all too well; his real problem is the marketing of his surpluses at a profit.

Fortunately, within the Department of Agriculture there exists the machinery to provide the grower and the farmer with adequate market information and to protect him against those forces which profit by disorderly selling. I shall insist upon the use of this machinery to the utmost, for any government which does not give its people protection is not fulfilling its first duty, and I know of no better protection for the farmer than adequate tariff protection and complete market service and reports.

The budget for the support of the Department of Agriculture has crept within a few years from barely over \$1,000,000 until it now calls for over \$4,000,000. What has been accomplished by this expenditure? Our farmers are earning less for their labor and investment than ever before in the history of agriculture. Perhaps the department needs all of the money that it has requested, but surely a larger proportion should be spent that more people may eat of the bounty of our rich soil and that our people who cultivate it should have some reward for their labor.

Certain economical and mechanical readjustments have made tremendous changes in agriculture, and equally radical changes in the dietetic habits and fashions have tended to cause a fluctuating demand for soil products.

Particularly in California we produce what might be called luxury crops seeking distant markets and the economic condition of the country has a tremendous effect upon the return on these commodities.

California, like all other states, has undoubtedly suffered from the most serious change witnessed by agriculture in the last ten years, when, so far as foodstuffs are concerned, we have ceased to be primarily an exporting nation. Instead we are now importing an enormous tonnage of soil products in excess of our total exports of raw and manufactured agricultural commodities.

So, our real interest lies in having the primary right of our farmers to enjoy our rich home market, infinitely richer than that of any other or all other countries combined. This market should be thoroughly protected for the benefit of our growers.

Quarantine laws should be enforced strictly, for such enforcement is the method of protecting more than \$1,000,000,000 invested in the orchards, vineyards, gardens and live stock of this State. Quarantine should be enforced adequately but justly. Since it is a two-edged sword, we should be extremely careful that our quarantine laws are just in principle and so intelligently enforced that they will not react against us.

Since 1920, in spite of the activities of innumerable agencies seeking to better the condition of the farmer, his financial status has steadily become worse throughout the State and nation.

Upon the success of our agriculture depends the welfare of our labor and the prosperity of nearly every California industry and nearly every person within our State. The farm problem must be solved and solved promptly. To that purpose I shall put my shoulder to the wheel.

LABOR.

My sympathy with the just aspirations of those who toil with their hands has been demonstrated in my private business and my public career. California has a liberal system of laws for the protection of labor and the amelioration of the condition of the workers. I recognize, however, that the emancipation of labor from the thralldom of the early industrial age is a progressive movement and has not been completed. Labor is entitled to its fair share of the benefits brought by machinery, improved methods of distribution, and increasing national wealth and I intend to assist each prudent, forward step in that direction. But this disposition does not imply any inclination toward that small and irresponsible group of agitators who are hostile to the institution of private property and, if permitted, would destroy in mad experiments all the progress that has been made by organized labor in its long and winning fight for working men and women.

BUSINESS.

You will not find me unfriendly to legitimate business, large or small. The utility and other corporations of California, owned, as they are, by hundreds of thousands of our fellow citizens, have done much to make California a great manufacturing State and to develop that variety of industries which contribute to the wealth and prosperity of every section. Business, in corporate form, is the main contributor to the financial support of the State government. True, the corporation's taxes are actually paid by the ratepayers of the utilities, the passengers on the railroads, the consumers of articles that have been shipped by rail or manufactured or sold by corporations, but that fact is additional evidence of the truth that the welfare of business is closely involved with the welfare of all the population. These corporations are the great employers of labor, the great builders, the great developers of our natural resources, under our efficient system of regulation. My administration is pledged to do all that the State may fairly and rightly do to aid legitimate business. On the other hand, I shall expect business to cooperate with my administration for the common good, even though such cooperation may entail at times some sacrifice.

COMMERCE.

I thought of no better authority to confer with on the very important subject of "Commerce" than Captain Robert Dollar, dean of the shipping world, and he has written me his views which I transmit to you in a copy of his letter to me.

*"Hon. James Rolph, Jr.,
Governor Elect of California,
San Francisco.*

DEAR MR. ROLPH: Replying to your inquiry as to the commercial conditions of the world as they exist today:

Having just returned from the Far East on a trip which I made for the purpose of increasing and developing American Foreign Trade, I have the benefit of the opinions from the citizens of various nations who are competent to tell me the exact conditions existing in their respective countries; also, having as we do, passenger steamers in service around the world—calling at fourteen different countries—we derive quite a good deal of information pertaining to the affairs of the world.

Therefore, I feel I am in a position to give you in a general way a correct statement concerning the commercial conditions of the world. First I would say that this terrible and severe depression which no nation appears to have escaped, has actually reached the bottom and will not go lower. There are slight indications of improvement in various lines, although as yet it is hardly perceptible. There is assurance, however, that improved conditions are actually in sight and with continued hard and persistent work we will enjoy better business in 1931 than we have this past year.

Sincerely yours,

ROBERT DOLLAR."

It is truly said that commerce moves the world, and this statement of Captain Robert Dollar encourages us in our justified optimism.

REGULATION OF PUBLIC UTILITIES.

Effective regulation of public utilities has been one of the best and most outstanding achievements of the progressive movement in California. Its benefits have fallen alike upon the public and the companies. Formerly, the great corporations were the masters of the State. Regulation has made the utility corporations public servants entitled to public respect and assistance. If we are to preserve the benefits of regulation we must see to it that regulation is administered by officials friendly to the idea and spirit of regulation. The utilities as well as all other parties are entitled to just treatment from regulating bodies.

MINING.

May I confess that, while I have never engaged in mining, that earliest and most picturesque of California industries has always had a strong appeal to my imagination. One of my urgent ambitions as Governor will be to accomplish something in the way of stimulating and reviving that languishing industry. I would like to see the entire mother lode and all the mining regions humming with activity. Legislation, of course, can not put gold into the ground. But I shall be responsive to all sound suggestions for the benefit of the mining industry and the mountain countries.

The gold in California's stream beds and mountains was responsible for her birth both economically and politically as a member of the family of states. California's gold was an important factor in sustaining the federal finances and credit during the stress of the Civil War in the '60s; and in spite of recession in annual yield in recent years, this commonwealth is still one of the leading states in production of the yellow metal. The decreased production of new gold is due to nation-wide and world-wide economic conditions over which the gold miner himself has no control; and because the price of his product is fixed by governmental action as the basis of our (and other nations') monetary system, the gold miner is entitled to special consideration at the hands of our law-making bodies both of State and nation, to the end that whatever statutory or taxation burdens are now hampering the flow of new gold from out of the ground may be either eliminated entirely or at least ameliorated to the maximum degree. California should be in the forefront of the movement to help. We need more new gold. In the United States today we are consuming in the arts and industries more than twice as much gold as we are taking out of our mines each year. Unless something is done to help, it is conceivable that the foundation of our financial system will sooner or later be affected.

But gold is not California's only bid for fame and attention. This State is prolific in available minerals of commercial value, and the diversity of her products is not approached by any other commonwealth. Mining in California marches alongside of and goes hand-in-hand with agriculture, as one of the great basic industries upon which our people depend. Our wealth is structural and other industrial mineral raw materials is wide-spread throughout California and in great variety, and if properly fostered and adequately supported by governmental promotion, will continue to grow in importance and will continue to support an ever-increasing industrial population in this State.

STATE HIGHWAY SYSTEM.

The economical distribution of our products from farm, factory and mine to market, is a problem of general interest. The main arteries and laterals of our great highway system tap the places where our products are produced.

The increase in tourist travel throughout California is an example of the great service our highway system, as developed to the present date, has rendered. The motoring public has assumed the obligation of constructing and maintaining the State system of highways, and also of assisting our country systems with one-third of the total gas tax revenue and one-half of the motor vehicle fees. California's highway system, as now established, consists of a total of 6590 miles of which there are 4287 miles of primary roads and 2303 miles of secondary roads.

For the maintenance and expansion of our highway system, the State highways receive from the motor vehicle revenues, fuel tax, and federal aid an allotment of approximately thirty-one and a half millions a year, and the counties also receive from the motor vehicle revenues and fuel tax about one-half that amount per year. The State highway fund is expended under the terms of the Breed Act. I will not occupy you now with a statement of details showing the allocation and application of that fund.

Federal aid which has been available by act of Congress since 1921 is for projects on the federal aid system, only, the federal aid system being State highways selected by the federal government in 1921 as the federal aid system. This amounts to approximately \$4,250,000 per year under the existing authorizations.

I believe that we should continue our program of building and improving the State highway system and that the development should be carried out on a balanced program, both in the sparsely settled mountain and desert areas as well as in the rich valley and urban regions. It is essential to the proper development of our State that a fair distribution of mileage commensurate with the funds available for this purpose be made. The development of our system either north or south

is a benefit to the entire State. I am in accord with the principles laid down by the last Legislature in considering the addition of new highways to the State highway system, as this recognizes the lack of balance between the mileage of secondary roads in the south and in the north.

I expect to ask our highway authorities to cooperate in the construction of roads inside incorporated cities that are logically direct connections and a part of our State system to the extent possible with the funds available under existing law, without jeopardizing the carrying on of the State highway program. Necessarily, at the start, this class of work will be limited to points where the conditions are most acute with respect to passing traffic in and out of town and cities, and where communities are least able to bear the burden. Where the highway system does damage to the smaller towns in passing through them, justice demands our aid. Such aid is compulsory in towns under populations of 2500 and optional above that.

The highway work should be expanded as rapidly as funds can be provided, in order that during this temporary period of unemployment the greatest number of our citizens can be put to constructive work as soon as possible. Approximately 85 per cent of each dollar expended on highways goes directly or indirectly to labor. It is important that the Legislature proceed to make the funds available at the earliest possible date for carrying out the program of highway construction.

TRANSBAY BRIDGE.

Ever since the earliest days, traffic between San Francisco and Oakland has been by ferries; at all times this has created a serious traffic problem. Industrial science and improved construction methods now afford us a solution of this traffic problem by building a bridge connecting the counties of San Francisco and Alameda.

The history of this bridge begins some ten years and more ago, when private capital sought franchises from the City and County of San Francisco, under the old Toll Bridge Act, for permission to build a bridge between San Francisco and Alameda counties.

There was a rush of applicants for this permission and after years of hearings before the supervisors, the city appropriated a sum of money and appointed an engineering board consisting of the city engineer of San Francisco, John Gallo-way, and Robert Ridgway, who in an exhaustive report found that it was feasible to build such a bridge.

They approved several tentative sites, numbering them in the order of their approval, but stated that they could not definitely approve any site owing to the lack of foundation data.

In 1928 it became apparent that the State should assume the obligation of building this tremendous undertaking, and to this end the Legislature in the 1929 session passed the necessary legislation placing this projected bridge under State control.

The War Department had continuously refused permission to build such a structure north of Hunters' Point, but during the early part of last year, President Hoover and Governor Young appointed a Joint Bridge Commission consisting of Navy, Army and civilian membership, and this commission in a signed report unanimously approved the feasibility of such a structure, conserving both the interest of navigation and national defense.

In 1930, the Hoover-Young Bridge Commission made its report to the President and the Governor. This report cleared the way for the actual construction of the bridge. Under the auspices of the State Highway Engineer and after exhaustive borings were made, plans and estimates for a double deck bridge were submitted to the commission, accommodating motor vehicle traffic and interurban cars. The estimated cost was \$75,000,000, which money was to be found by the sale of revenue bonds. The report showed that these bonds could be retired and interest paid on them by anticipated traffic, as shown by traffic surveys.

All toll bridges in the State should, I believe, be freed from tolls as soon as economically possible and be made a part of the highway system. The Highway Commission is charged with the determination of the location and routing of roads, and in my judgment should stand squarely behind this movement to insure the completion of this bridge, serving one-quarter of the State's population, resident to the San Francisco Bay area.

This bridge will be the most stupendous undertaking of its kind in the world. Under proper financing and safe and economical construction, and under the able direction of the State authorities, in cooperation with the world's best engineers, it will prove a boon to the State of California, and fill a long felt want of the great metropolitan area of San Francisco Bay.

The necessary additional legislative measures are now under way. There is pending a case before the Supreme Court to determine the validity of the bonds and bill to be presented to Congress and to the State Legislature in order to facilitate the early starting of the work, with the hope that it will commence before the close of this year.

It is extremely important, in my opinion, that these two great communities be afforded modern methods of communication with each other, and this at the earliest possible moment.

BANKING.

The banks of California both national and State, are in an exceptionally sound and liquid condition. They have never before been in such a strong position to care for the legitimate requirements of improving business.

The exceptional diversity of California's economic activities contributes much to the soundness of banking practice by eliminating the hazard of concentrations prevalent in less favored commonwealths. Moreover, the Bank Act of California had long been pointed to by the rest of the country as a model of banking legislation. Its provisions enforce the maximum of safety and liquidity in bank operation, and call for a high order of supervision by the State Superintendent of Banks.

The position of our banks may be briefly stated, in round figures, as follows: Their resources mount to the astounding total of \$4,200,000,000, with deposits of \$3,280,000,000 and capital surplus and undivided profits of \$347,000,000. Cash resources, cash on hand and due from banks, are \$710,000,000. United States government bonds and other securities held, total roundly \$1,000,000,000, while bank borrowings are at the lowest level since 1922.

It is gratifying to know that California is third among the states of the Union in its per capita bank resources, the figure being \$735. Our per capita savings are \$365, again the third highest among the states; our per capita commercial figure is \$213, in which we rank as the sixth state. New York and Massachusetts, with their vast foreign trade, naturally lead California in all of these figures.

Faith in California is justified by these gratifying figures. I firmly believe that business is on the eve of an up-swing.

With our banks so amply able to support the industries of our State, with our great wealth of natural resources, and the highly progressive spirit of our people, I look forward to an era of achievement that will set a new standard for California and the Nation.

BUILDING AND LOAN ASSOCIATIONS.

A problem of definite importance to my administration is the establishment of the State's building and loan business, as a whole, on a plane assuring its highest service in that segment of our California financial structure for which building and loan is designed and of which it is capable. A recent startling abuse of public confidence and trust on the part of one individual who played to his own advantage upon a weakness both in the law and the administration of that law resulted in a severe blow to those personally victimized and likewise to creditable building and loan interests.

Unfortunately, no phase of human endeavor is proof against isolated instances of dishonesty. The perverse activity of one individual does not impeach a financial business which with its \$500,000,000 structure paid out in interest during 1930 more than \$25,000,000 to its 600,000 investing customers. The building and loan associations of this State are today lending their resources to the financing or construction of 140,000 California homes and other improved properties. Many of these associations have been and are performing their trust efficiently and faithfully.

The building and loan association occupies an important position in the present-day economic plan. It is imperative that the sound company of this type have the confidence of the community. Adequate State supervision is essential for the protection of the public and the welfare of the associations themselves. Therefore, the field of their operations should be definitely defined. Efficient governmental regulation should be provided.

These organizations came into being through a demand for this kind of financing, originated for the mutual benefit of their members. Their scope of activities in the financial field has broadened decidedly through progressive development and healthy competition for business. State regulation has not kept pace with these developments. The lax enforcement of the present building and loan act has proved an actual menace to the public and to the sound, properly managed associations.

The remedy for this unhealthy financial situation lies chiefly in proper governmental regulation. Adequate reserves must be required of all such associations, and the State supervision must insure that such reserves be maintained to the proper standard. State examination must be sufficient and thorough, and should be made frequently enough to be effective.

Many building and loan companies in effect accept savings deposits. National and State legislative bodies have enacted rigid and comprehensive laws regulating the conduct of organizations authorized to accept deposits. The Bank Act of California provides certain standards for companies organized under the State law to do a savings bank business. Among the most important of these are the requirements affecting the character of the reserves such savings banks must maintain.

It would appear logical, therefore, that any other organization which in effect accepts savings deposits and which is subject to State supervision should have and maintain adequate reserves. The mere fact that the State has deemed it essential to regulate these various kinds of financial institutions leads the public to believe there is but one standard required by governmental agencies. The sound, well-managed and financially strong building and loan associations have been handicapped by inadequate and inefficient supervision. They will welcome such steps as will establish a uniform standard of efficient State supervision.

The present statutes governing building and loan associations were adopted years ago and the business has far outgrown them. In 1907 our State banks were confronted by a similar condition, due to the fact that State banking laws were inadequate and obsolescent. A new bank act was thereupon enacted which is outstanding for careful regulation and under which California State banks have prospered as never before.

Building and loan associations require a similar codification of the laws by which they are to be governed. It is my aim to urge laws which will not unfairly restrict building and loan associations from the progress which many of them have enjoyed through their high standard of self-supervision but which will place the business in its entirety on a thoroughly sound basis worthy of complete public confidence.

FAITH IN CALIFORNIA.

By reason of worldwide conditions, the year 1930 was a period of economic depression which naturally had its echoes in California. All of us have suffered from it. And, as in good times our optimism goes beyond all bounds, so in bad times our pessimism becomes excessive and reacts upon itself to make the times harder and the outlook gloomier than the facts warrant. As conditions were never so bright as we thought they were in 1928, so they were never so dark as we thought they were in that winter of our discontent, the last few months of 1930.

On each of us depends the rapidity and extent of our recovery. Our troubles are past if we will open our eyes and see that they are past.

Let us face 1931 with heads up and shoulders back, looking forward with serene confidence in the destiny of our State, and in the security of her industrial and financial institutions. Let us have faith in California! That faith will make us what we wish to be. That faith will turn despair into hope, distress into comfort, failure into success. Let us display, at the opening of this new year, the courage and confidence which inspired the pioneers who peopled our loved State, which have carried us through many periods of stress, which enabled San Francisco in 1906 to spring from the ashes and rebuild itself greater than before, which animated the men who guided the rise of Los Angeles from a small town to a great metropolis in a few decades; the courage and confidence, in short, which have characterized Californians from the earliest days and without which there is little in life worth having. We can shape our own future. Let us do so. And let us begin today by resolving to open a new administration with a revived and strengthened faith in California.

Let me illustrate by this striking parallelism the wealth of the American people and the resiliency with which they are capable of recovering from heavy losses.

Very recently I went to some pains to ascertain with much detail the cost of the war to the American people and the amount of losses incurred during the past fifteen months in the shrinkage of stock market values.

In round figures, the war, directly and indirectly, cost the United States \$51,500,000,000, exclusive of loans to the allies. You will recall that, following the war, came a period of severe losses and depression from which the country made a rapid and brilliant recovery, culminating in a long period of prosperity, rising values, and universal optimism.

Then, in the latter part of 1929, came the natural reaction which resulted in a sudden decline of values and consequent development of a spirit of pessimism. It is computed from official sources that the shrinkage in market values of all listed securities amounted to approximately \$35,000,000,000, and other shrinkages, caused by this loss, totalled an estimated sum of \$10,000,000,000 additional, making a total loss from the peak to the bottom of stock values during the period of the crash of \$45,000,000,000.

Is it not logical, indeed, is it not inevitable that the nation which could so rapidly recover from the huge war losses will recover with equal rapidity from the losses sustained during the past fifteen months?

All California needs right now to bring about that recovery is a spirit of confidence and quick response to courageous leadership; the state of mind which says, "I will," instead of "I can not." It is my wish to apply such leadership within my province.

I wish to imbue the people of California with my own faith in California. I wish to begin my administration on a note of hope and confidence. Be prepared by holding such hope and confidence to follow my leadership into the bright days which I see just ahead.

NECESSITY FOR A HOMOGENEOUS ADMINISTRATION.

With the fundamental ideas and the plans of legislation and administration which I have recounted, I am brought to one consideration of a very practical character upon which I shall speak for a moment.

When a Governor enters upon his task he finds many head places of departments through which he would wish to work out his plans and policies held by those who have not hitherto and perhaps are not now and may not in the future be in sympathy with him, and therefore while the nominal administration is that of the Governor it is in measurable part not his administration but the carry over of different and earlier plans and policies. It should be possible for the Governor at the very beginning to man all of the departments with those who entertain his

views of administration and are prepared unreservedly to cooperate with him in their promotion.

I do not mean by this suggestion to invoke the outworn idea that to the victor belongs the spoils, and I do not refer to public officers not in dominant positions in the outstanding departments of the State administration. Those, however, who do hold dominant positions in outstanding departments should come in with and go out with the Governor.

This idea is not new and its suggestion by me is not novel.

Immediately upon the accession to office of a new President, the resignations of all the diplomatic representatives of the government are in his hands so that he may not be compelled to carry on his foreign policies through diplomatic representatives originating in past administrations and perhaps holding views not entirely in harmony with the views of the new President.

The same idea underlies the abolition of the short term of Congress which immediately follows the election of a new Congress, the work of which is delayed for more than a year beyond the election.

I shall, in obedience to the views just expressed, recommend a change in statutory law to bring in the whole of an administration at the one time and not a portion only at the inauguration of the Governor and other parts from time to time, running on perhaps to the end of his term.

I have now in an imperfect way sought to express the sentiments and plans which I entertain in respect of important matters of government and the ideas underlying them; and again I ask the cooperation of all my fellow citizens in bringing to accomplishment the views which I have expressed and the plans and purposes which I have outlined.

I dedicate to the advancement of these ideas and to the accomplishment of these objectives all my faculties, all my energies, and all my experience; and God willing, I shall not fail.

Prayer by Rabbi Norman M. Goldburg.

ADMINISTRATION OF OATH OF OFFICE.

Hon. Frank F. Merriam took and subscribed to the following oath administered by Hon. William H. Waste, Chief Justice of the Supreme Court:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and I will faithfully discharge the duties of the office of Lieutenant Governor of the State of California to the best of my ability, so help me God.

INTRODUCTION OF LIEUTENANT GOVERNOR FRANK F. MERRIAM.

Hon. Edgar C. Levey, Speaker of the Assembly, addressed the Joint Convention as follows:

I am deeply appreciative of the distinction which is afforded me today to present to you the incoming Lieutenant Governor of California. When I recall that four years ago I was privileged to preside at the installation ceremonies of the Hon. C. C. Young, the outgoing Governor, I am reminded that I am emulating his example in filling for the third time the position of the presiding officer of the Assembly. This is particularly significant to me in view of the fact that I received my early instruction from him when he was a teacher and I a pupil in the Lowell High School of San Francisco.

The members of the Assembly feel most grateful to Governor Young for the cooperation rendered to them by him during the four years of his service as Governor of California. I am here to render my public thanks for his courtesies and kindnesses to me.

The incoming Governor, His Excellency James Rolph, Jr., is a native son who hails from my own city of San Francisco. To me this occasion is a most auspicious one in that I, also a native of San Francisco, will have the opportunity of associating myself with him in our legislative work. From expressions which have been rendered to me, I feel that I can pledge him the unanimous and unqualified support of the Legislature of California. Reviewing his service of nearly two decades as mayor of San Francisco, we can well prophesy that the future of our great State, during his administration, will be assured.

My predecessor in office was the present Lieutenant Governor. From him I had my first instruction in the duties of the Speaker of the Assembly. He filled that office ably and well for two terms and earned for himself an enviable reputation. He has since been a member of the Senate over which he is now called to preside and has also served with distinction as chairman of the Republican State Central Committee.

California has been signally honored in having him elected to assume the second highest office in the State and we, the members of the Legislature, wish him well.

I prophesy that, with Governor Rolph in the chair and our next Lieutenant Governor in his position, our prosperity and our progress are assured. It is with the deepest pleasure that I now present to you the Lieutenant Governor of California, Hon. Frank F. Merriam of Long Beach.

ADDRESS BY LIEUTENANT GOVERNOR FRANK F. MERRIAM.

Lieutenant Governor Frank F. Merriam then addressed the Joint Convention as follows:

Last year California observed the eightieth anniversary of its admission to the Union. As we look back upon those pioneer days, we marvel at the changes wrought in the four score years of statehood—changes which have been so happily emphasized in the events of the last few days.

California has traveled a long distance in its development since the days of the ox team and the covered wagon and has experienced many transformations in the dress, customs and activities of the people.

Present day civilization was not attained at one bound but has been achieved through processes of the intervening years. New problems have confronted each generation and upon their solution has depended the progress of that period.

The hardy sons and daughters of the nation who sought adventure or gold or a home in the West laid the foundation of this commonwealth; their children and those who followed nourished these institutions and met most successfully the problems of their times. Today we boast of our progress in every line of achievement and endeavor.

Through the years our population has increased so rapidly; our wealth, commerce, industry and the products of the ranch, vineyard and orchard have grown to such proportions as to attract world attention and influence world markets and trade. The problems arising from this condition challenge the best thought and effort of the men and women of the commonwealth in their solution.

It is well to review for a moment the story of the past, to dream the romance of these mountains and valleys, to worship at memory's shrine and recount the deeds and heroism of the fathers and mothers who pioneered this last land of the West, who endured the privations and hardships to build the early structure of the California we enjoy today. Such a moment should inspire us to act well the part assigned to us in the story of the future years.

Yesterday a new Legislature was organized and today a new administration is inaugurated to further build the civic structure of the Golden State. It is not an easy task. It calls for earnest effort, courageous planning and wise counsel. The complex civilization of the age, the rapid building of a new commonwealth, the great stride in invention and discovery, the very progress which we so proudly cherish have developed the problems and tasks presented here today for solution. Many of these are local; some are national and a few are international in their scope.

A day's work which will provide not alone the necessities but the comforts of life as well, for all who would labor is essential to the health and happiness of the people and the perpetuity of the State.

The impounding and distribution of the available water resources of California is a gigantic undertaking but one that will yield readily to the planning of engineers, the support of financiers and the courage of the voters to inaugurate and foster these great enterprises.

Taxation is an ever-present question. The equal distribution of the burden for maintenance of government with its constantly increasing activities requires readjustment from time to time, with perhaps the consideration of new methods of taxation, at least new in California, and so-called new sources of revenue.

The further extension and building of highways; the financing and construction of the great bridges to provide more convenient and shorter lines of transportation; the control of aerial transportation with provision for its development and convenient airports; protection to life and property upon the highways, and the safety of workers in their places of employment; the conservation of our natural resources; the protection of the forests including reforestation of denuded areas, refuges for protection of the wild life; parks for preservation of historic and scenic spots and the recreational pleasure of the people, and many other questions of perhaps equal importance are presented for the intelligent consideration of the administration and the Legislature.

To have a part in the solution of these great problems is a real privilege and I am happy here today to pledge my support to the administration and to the Legislature, as Lieutenant Governor and as a citizen, in building here a commonwealth that shall bring the most of opportunity and the most of true happiness to men and women and boys and girls; to make California a place where the blessings of life may be enjoyed to the fullest.

PRESENTATION TO GOVERNOR JAMES ROLPH, JR.

Senator Thomas A. Maloney, president of the South of Market Boys of San Francisco, presented Governor James Rolph, Jr., with a gold plaque, a replica of the City Hall of San Francisco.

"Star-Spangled Banner."

Benediction by Rt. Rev. William Hall Moreland, D.D.

READING AND APPROVAL OF MINUTES.

The minutes of the Joint Convention were read, and on motion of Mr. Reindollar, approved as read.

ADJOURNMENT.

There being no further business, at one o'clock and twenty-eight minutes p.m., the President of the Senate adjourned the Joint Convention sine die.

IN SENATE.

At one o'clock and thirty minutes p.m., the Senate reconvened.

President pro tempore Arthur H. Breed in the chair.

Secretary Joseph A. Beek at the desk.

LIEUTENANT GOVERNOR ESCORTED TO CHAIR.

A select committee, consisting of Senators Edwards, Baker and Allen escorted Lieutenant Governor Frank F. Merriam to the chair.

Upon invitation of Arthur H. Breed, President pro tempore, retiring Lieutenant Governor H. L. Carnahan presented Lieutenant Governor Frank F. Merriam to the Senate.

ADJOURNMENT.

At one o'clock and forty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, January 7, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—33.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 6, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Crittenden was, on motion of Senator Sharkey, granted leave of absence for this day.

Senator Pedrotti was, on motion of Senator Rochester, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Marshal Hale, president of the Republican State Central Committee.

ESCORTED TO PLATFORM.

At request of Lieutenant Governor Frank F. Merriam, Senator Fellom escorted Marshal Hale to the Speaker's platform.

On request of Senator Ingels, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Hugh L. Preston, District Attorney Lilburn Gibson and Court Reporter Bert Thornton.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rabbi M. Abramson.

RESOLUTIONS.

The following resolutions were offered:

By Senator Breed:

Resolved, That the following shall be the rules of procedure of the Senate in the introduction of bills on the first day when bills shall be introduced during the present session:

That the roll of Senators shall be called from "A" to "Y" and then back from "Y" to "A," and as each member's name is called he shall have the privilege of introducing one bill.

Resolution read and, on motion of Senator Breed, adopted.

By Senator Swing:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw warrants in favor of the respective persons for the said respective amount, and the Treasurer is hereby directed to pay the same:

Robert M. Wilson, Assistant at Desk	\$5 00
James L. Gardiner, Assistant at Desk	5 00
M. H. McCarthy, Assistant at Desk	5 00
Thomas Bickmore, Assistant at Desk	5 00
Julian Lindsay, Assistant at Desk	5 00
Donald Bruce, Assistant at Desk	5 00
John P. Rice, Assistant at Desk	5 00
Mrs. H. J. Carter, Postmistress	4 00
L. Williams, Assistant Journal Clerk	5 00
Ruth E. Hopps, Chief Stenographer	6 00
Blanche Garrigan, Stenographer	5 00
May Berman, Stenographer	5 00
Joseph Pewterbaugh, Stenographer	5 00
Larry Allen, Stenographer	5 00
Agnes Shearer, Stenographer	5 00
Neva M. Gregg, Stenographer	5 00
Verda Roberts, Stenographer	5 00
Patricia Lang, Stenographer	5 00
Verne F. Endicott, Stenographer	5 00
Winifred Elliott, Stenographer	5 00
A. J. Marshall, Assistant Sergeant-at-Arms	5 00
J. W. Roberts, Assistant Sergeant-at-Arms	5 00
Harry Jordan, Assistant Sergeant-at-Arms	5 00
Brad Perry, Assistant Sergeant-at-Arms	5 00

Theodore LaFayette, Assistant Sergeant-at-Arms.....	\$5 00
George Jackson Claire, Assistant Sergeant-at-Arms.....	5 00
Walter Yarwood, Assistant Sergeant-at-Arms.....	5 00
Clarence Prentice, Mailing Clerk.....	4 00
Clara Lossman, Stenographer.....	5 00

Resolution read.

Senator Swing moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES.—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagly, Williams, and Young—31.

NOES—None.

APPOINTMENT BY THE PRESIDENT OF THE SENATE.

The following communication was received and read:

I beg leave to inform you that I have appointed

Donald Maguire, Page	\$2 50
Frank Smith, Page	2 50
George Longwich, Page	2 50

and respectfully request the consent of the Senate thereto.

FRANK F. MERRIAM,
President of the Senate.

Senator Swing moved the appointments be confirmed by the Senate.

The question being upon the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES.—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagly, Williams, and Young—30.

NOES—None.

RESOLUTIONS OF RESPECT.

The following resolutions of respect were offered:

By Senator Tubbs:

WHEREAS, The Senate of the State of California has, since the adjournment of the forty-eighth session, lost through death one of its most beloved and respected members; and

WHEREAS, This former Senator was highly respected in this body for his honesty and for his sincerity; be it

Resolved, That the Senate of the State of California do adjourn on this seventh day of January, 1931, out of respect to the memory of former Senator Patrick J. Gray; be it further

Resolved, That this resolution be printed in the Senate Journal and copies of the resolution be sent to members of the family of Senator Gray.

Senator Tubbs, seconded by Senator Evans, moved the adoption of the resolution.

Motion unanimously carried by a rising vote of the Senate.

By Senator Slater:

WHEREAS, That there may be an imperishable record maintained, signaling the completion of many years of splendid public service performed unselfishly and nobly in the endeavor to enrich and ennoble life and to perpetuate government calculated to benefit the citizenry of his beloved State; be it

Resolved, By the Senate of the State of California, assembled in forty-ninth regular session on this sixth day of January, 1931, that we sincerely regret the passing of our beloved friend and colleague, Fred C. Handy, and ascribe to his memory the kindly sentiments so justly due him; and be it further

Resolved, That this resolution be spread upon the minutes of this day's proceedings of the Senate of the State of California, and that the Secretary of the Senate be requested to forward a copy thereof to the members of the family of our departed

friend, and that when the Senate adjourns it does so out of respect to the late Senator Handy.

Senator Slater, seconded by Senator Ingels, moved the adoption of the resolution.

Motion unanimously carried by a rising vote of the Senate.

By Senator Sharkey:

WHEREAS, Since the last session of the Senate one of the former members and a man of distinction in the Senate and in the State of California, Senator E. B. Martinelli, has been called to the Great Beyond; and

WHEREAS, Senator Martinelli was a member of this Senate during the sessions of 1909 and 1911 and as a Senator rendered a distinctive service to the people of this district and to the people of the entire State of California; and

WHEREAS, Both prior to his service in this body and since Senator Martinelli has been a leading citizen of the State of California, and has contributed to the progress and development of our great State; therefore, be it

Resolved, That the Senate pause at this time to pay respect to the memory of the late Senator E. B. Martinelli and to express its sincere regret at the departure of this respected citizen; and, further, to express its sympathy to the bereaved relatives and friends; and be it further

Resolved, That the Secretary of the Senate be and is hereby instructed to have this resolution engrossed and presented to the family of the deceased.

Senator Sharkey, seconded by Senator Slater, moved the adoption of the resolution.

Motion unanimously carried by a rising vote of the Senate.

By Senator Breed:

WHEREAS, Since the last session of the State Legislature, one of the former members of the Senate of the State of California, Senator E. K. Taylor, of Alameda, has been called to his Final Reward; and

WHEREAS, During the many years that Senator E. K. Taylor represented the County of Alameda in the State Senate, he rendered distinguished and able service, not only to the people of Alameda County, but to the people of the entire State of California; and

WHEREAS, During his service, as a member of the Senate, and during his long residence in Alameda County, Senator Taylor, by his unselfish efforts made substantial contribution to the development and welfare of the State of California; be it

Resolved, That the Senate pause in the midst of its labors to pay respect to the career and memory of the late Senator E. K. Taylor, and to express its sincere regret on the passing of this distinguished citizen, and to express its sympathy to the bereaved family and friends; and be it further

Resolved, That the Secretary of the Senate be and he is hereby instructed to have this resolution spread upon the minutes and engrossed and presented to the family of the deceased.

Senator Breed, seconded by Senator Nelson, moved the adoption of the resolution.

Motion unanimously carried by a rising vote of the Senate.

COMMUNICATION.

The following communication was received, read, and ordered printed in the Journal:

REDWOOD EMPIRE ASSOCIATION,
SAN FRANCISCO, CALIFORNIA, January 6, 1931.

Clerk of State Senate,
State Capitol, Sacramento, California.

DEAR SIR: Would greatly appreciate it if you would read the following announcement Wednesday morning, January 7th:

Senators from the nine Redwood Empire counties are urged to attend the luncheon session of the Nine Counties Highways Committee of the Redwood Empire Association, and State highway officials, this noon, Wednesday, Hotel Senator.

Thanking you, we are,

Sincerely yours,

(Signed)

REDWOOD EMPIRE ASSOCIATION.
CLYDE EDMONSON, General Manager.

ADJOURNMENT.

At ten o'clock and fifty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Senators Patrick J. Gray, Fred C. Handy, E. B. Martinelli and E. K. Taylor.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, January 8, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 7, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Assemblyman Howard W. Davis.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Erwin P. Werner, city attorney of Los Angeles.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Assemblyman George A. Clarke of Merced, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Supervisor James B. McSheehy of San Francisco.

On request of Senator Tubbs, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. N. H. Robotham of Alhambra, California.

COMMUNICATIONS.

The following communications and report of the Commission on Uniform State Laws were received, read, and ordered printed in the Journal:

*Secretary of State Senate,
State Capitol, Sacramento, California.*

IN RE: COMMISSION ON UNIFORM STATE LAWS.

DEAR SIR: In compliance with the provision of "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses" (approved May 14, 1927), herewith enclosed you will please find the report of the Commission on Uniform State Laws to the Legislature of the State of California.

Very truly yours,

GURNEY E. NEWLIN, President.

REPORT OF THE COMMISSION ON UNIFORM STATE LAWS.

To the Legislature of the State of California.

The Commission on Uniform State Laws respectfully reports as follows:

The Commission on Uniform State Laws is the outgrowth of a demand for greater uniformity in the laws of the several states. Much annoyance, inconvenience and even serious loss has been occasioned by the diversity of legislation existing and enacted from time to time by the different state legislatures. The constant communication between the different states and the transactions of business between citizens of different states requires for satisfactory relationships as much agreement upon the various subjects of legislation as circumstances will permit.

The California commission was created under an act of the State Legislature entitled "An act to provide for the creation of a Commission on Uniform State Laws, the appointment of commissioners thereto, and to appropriate money for traveling expenses" (approved May 14, 1927). The present commissioners and their respective offices are:

Gurney E. Newlin, President, Los Angeles.

Henry G. W. Dinkelspiel, Secretary, San Francisco.

Jefferson P. Chandler, Los Angeles.

The National Conference of Commissioners on Uniform State Laws is a section of the American Bar Association and is made up of commissioners from each of the states appointed largely by reason of legislative authority. The commissioners are chosen from the legal profession, being lawyers and judges of standing and experience, and teachers in law of some of the leading law schools. The commissioners meet in annual conference at the same place as the American Bar Association, usually for five or six days immediately preceding the meeting of that association.

The National Conference has drafted, approved and is recommending to the states for adoption a total of forty-three acts. Of such acts the following uniform laws are in force in California:

	Year enacted.
Uniform Bills of Lading Act.....	1915
Uniform Desertion and Non-Support Act.....	1911
Uniform Foreign Depositions Act.....	1923
Uniform Limited Partnership Act.....	1929
Uniform Negotiable Instruments Act.....	1917
Uniform Partnership Act.....	1929
Uniform Veterans Guardianship Act.....	1929
Uniform Warehouse Receipts Act.....	1909

together with amendments to such act which were adopted in 1923.

Since the last session of the Legislature, there have been held two meetings of the National Conference of Commissioners on Uniform State Laws—one in Memphis, Tennessee, in October, 1929, at which meeting Commissioners Dinkelspiel and Newlin were present. At this meeting there was approved and recommended to the states for adoption a Uniform Sale of Securities Act and amendments to the Uniform Act Regulating the Operation of Vehicles on Highways. The last meeting of the commissioners was held in Chicago in August, 1930, at which meeting Commissioners Chandler and Newlin were present—the attendance by Commissioner Dinkelspiel having been prevented by illness. At this last conference there was approved and recommended for enactment in all the states the following uniform Acts:

Air Licensing Act,

Child Labor Act,

Divorce Jurisdiction Act,

Firearms Act,

and amendments to the four acts making up what is known as the Motor Vehicle

Code, consisting of a Uniform Motor Vehicle Registration Act, Uniform Motor Vehicle Anti-Theft Act, Uniform Motor Vehicle Operators and Chauffeurs License Act, and Uniform Act Regulating Traffic on Highways.

RECOMMENDATIONS.

1. Your commission recommends to the Legislature for enactment at this session of the Legislature the Uniform Sales Act, which was approved by the National Conference of Commissioners in 1906, and since that time has been enacted and is now the law in thirty-one states, including all of the leading commercial states. This act has been passed by the Legislature in several instances and its enactment would, in the opinion of the commissioners, be the most important thing that the Legislature could do to promote uniformity of legislation and bring the law of California with respect to the sale of goods in line with that of all of the other states having large commercial business.

2. Your commission further respectfully recommends that the commission shall be allowed for traveling and other expenses and actual disbursements in effectuating the objects of the act approved in 1927 a sum not to exceed one thousand dollars (\$1,000) in the aggregate for any one year, and that the sum of two thousand dollars (\$2,000), or so much thereof as may be necessary, not otherwise appropriated in the State Treasury and in addition to any other moneys appropriated, be appropriated for the support of the Commission on Uniform State Laws during the eighty-third and eighty-fourth fiscal years.

Respectfully submitted.

GURNEY E. NEWLIN.
HENRY G. W. DINKELSPIEL.
JEFFERSON P. CHANDLER.

Also:

SACRAMENTO, January 8, 1931.

Hon. Frank F. Merriam,
Lieutenant Governor, Sacramento, California.

RE: PRECIADO vs. A. SCHOTTKY.

DEAR SIR: In compliance with section 281 of the Political Code, I hand you herewith two statements of contest filed with the county clerk of Madera County, together with depositions taken and other papers in the above entitled case.

Very truly yours,

FRANK C. JORDAN, Secretary of State.
By CHAS. J. HAGERTY, Deputy.

MOTION BY SENATOR BREED.

Senator Breed moved, seconded by Senator Fellom, that the President of the Senate be authorized to appoint a special committee of five, to which shall be referred the contest of election filed with the county clerk of Madera County of Preciado vs. A. Schottky.

Motion carried.

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with Senator Breed's motion, authorizing the President to appoint a committee of five to which shall be referred the contest of election as filed with the county clerk of Madera County of Preciado vs. A. Schottky, the President announced the appointment of the following committee: Senator Hays (chairman), and Senators Allen, Carter, McCormack and Rich.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read.

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 1—An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the eighty-first and eight-second fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 1 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1—An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Assembly for the eighty-first and eighty-second fiscal years, and declaring same an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE.

Senator Breed asked for, and was granted, unanimous consent to take up for consideration Assembly Bill No. 1, without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 1 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Edwards, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1.

SECOND READING OF ASSEMBLY BILL NUMBER ONE.

Assembly Bill No. 1—An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Assembly for the eighty-first and eighty-second fiscal years, and declaring same an urgency measure.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of article IV, section 1 of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Baker: Senate Bill No. 2—An act to amend section 737aa of the Political Code, relating to the salary of the superior judge in and for the county of Monterey.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Breed: Senate Concurrent Resolution No. 2—Relative to approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWO.

Senator Breed asked for, and was granted, unanimous consent to consider Senate Concurrent Resolution No. 2 at this time, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 2—Approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 2 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—35.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 2 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Maloney: Senate Concurrent Resolution No. 3—Relative to approving five certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, at a general election held therein on the fourth day of November, 1930.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THREE.

Senator Maloney asked for, and was granted unanimous consent to consider Senate Concurrent Resolution No. 3 at this time, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 3—Approving five certain amendments to the charter of the city and county of San Francisco, State of California, voted for and ratified by the electors of said city and county of San Francisco, at a general election held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland Crittenden, Deuel, Edwards, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—32.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 3 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Carter: Senate Bill No. 3—An act to amend section 596 of the Penal Code, relating to the poisoning of any animal, the property of another.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Fellom: Senate Constitutional Amendment No. 1—Proposed amendment to article XVI of the constitution, relative to elimination of grade crossings.

Senate Constitutional Amendment No. 1 read, and referred to Committee on Constitutional Amendments.

By Senator Harper: Senate Bill No. 4—An act to amend sections 5 and 7 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, prohibiting persons becoming candidates of more than one party.

Bill read first time, and referred to Committee on Elections.

By Senator Ingels: Senate Bill No. 5—An act declaring and establishing a State highway from the Golden Gate Bridge, in the county of Marin, to Ferndale in the county of Humboldt, and following the coast line through the counties of Marin, Sonoma, Mendocino and Humboldt, and to be designated and known as the Shoreline Highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Inman: Senate Bill No. 6—An act for the establishment in the city of Sacramento, county of Sacramento, State of California, of a technical school to be known as the "California State College," and making an appropriation therefor, and authorizing the use of Sacramento city junior college buildings and grounds for such college.

Bill read first time, and referred to Committee on Education.

By Senator McCormack: Senate Bill No. 7—An act making an appropriation to pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and governing of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, and amendments thereto.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Pedrotti: Senate Bill No. 8—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class, increasing the number of judges thereof.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Rich: Senate Bill No. 9—An act declaring the bridge across the Yuba River at the city of Marysville and the bridge across the Feather River between the city of Marysville and the city of Yuba City to be State highways and parts of the State highway system.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Riley: Senate Bill No. 10—An act to amend section 736b and repeal section 736c of the Political Code, relating to salaries of judges of the superior court.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Rochester: Senate Bill No. 11—An act to add a new section to be numbered 4023a to the Political Code, relating to eligibility of district attorneys to office.

Bill read first time, and referred to Committee on Judiciary.

By Senators Sharkey, Nelson, Ingels, Slater, McCormack, Fellom, Maloney and Tubbs: Senate Joint Resolution No. 1—Relating to the retrocession by the Congress of the United States of jurisdiction over the proposed rights of way for the approach roads, toll plazas and bridge ends of the proposed Golden Gate Bridge.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER ONE.

Senator Sharkey asked for, and was granted, unanimous consent for the consideration of Senate Joint Resolution No. 1, at this time, without reference to committee, for purpose of adoption.

SENATE JOINT RESOLUTION No. 1.

Relating to the retrocession by the Congress of the United States of jurisdiction over the proposed rights of way for the approach roads, toll plazas and bridge ends of the proposed Golden Gate Bridge.

WHEREAS, The Secretary of War of the United States has granted or is about to grant to the Golden Gate Bridge and Highway District certain rights of way upon which shall be located the approach roads, toll plazas and bridge ends of the proposed Golden Gate Bridge; and

WHEREAS, The Secretary of War has expressed the desire that the State of California should make application to the Congress for a retrocession of jurisdiction over the rights of way and other rights covered by such grant, during the life thereof, and should declare by legislative action that it will accept such retrocession of jurisdiction from the United States, and that it will assume the responsibility for management, controlling, policing and regulating traffic thereon, except government traffic; and

WHEREAS, The said approach roads, toll plazas and bridge ends will, when taken over for the purpose of construction, maintenance and operation by the Golden Gate Bridge and Highway District, the Highway Commission of the State of California, the Shore Line Highway, and the county of Marin, or either or any of them, become a part of the system of public highways of the State of California; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly, That the State of California does hereby make application to Congress for a retrocession of jurisdiction over the rights of way, toll plazas and bridge ends necessary for the approach roads, toll plazas and bridge to be constructed across the Golden Gate at the mouth of San Francisco Bay and which may be covered by any grant made by the Secretary of War, now or hereafter to be made; and be it further

Resolved, That the State of California will, in case such retrocession of jurisdiction is granted by Congress, assume the responsibility for managing, controlling, policing and regulating traffic thereon, except government traffic; *provided,* that persons subject to military law for crimes or offenses committed upon said approach roads, toll plazas or bridge within the boundaries of the military reservations of the Presidio of San Francisco and Fort Baker shall be triable in the courts of the United States or military tribunals, as now or hereafter provided by law, which said courts or tribunals shall retain exclusive jurisdiction to try such persons for such offenses; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the Secretary of War, to each house of Congress and to the Senators and Representatives in Congress of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 1 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Swing: Senate Constitutional Amendment No. 2—Proposed amendment to article XIII of the constitution, relative to revenue and taxation.

Senate Constitutional Amendment No. 2 read, and referred to Committee on Constitutional Amendments.

By Senator Slater: Senate Bill No. 12—An act to amend section 2 of chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the State park system.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Tubbs: Senate Joint Resolution No. 2—Relative to memorializing Congress to propose an amendment to the United States Constitution repealing the eighteenth amendment.

Senate Joint Resolution No. 2 read, and referred to Committee on Federal Relations.

By Senator Young: Senate Bill No. 13—An act to add a new section to the Penal Code, to be numbered 64a, relating to the filing of initiative or referendum petitions.

Bill read first time, and referred to Committee on Elections.

By Senator Slater: Senate Bill No. 14—An act to amend sections 131 and 132 of the Civil Code, relating to actions for divorce.

Bill read first time, and referred to Committee on Judiciary.

By Senator Young: Senate Constitutional Amendment No. 3—Proposed amendment to article IV of the constitution, relative to filing of initiative or referendum petitions.

Senate Constitutional Amendment No. 3 read, and referred to Committee on Constitutional Amendments.

By Senator Riley: Senate Bill No. 15—An act to amend 737z of the Political Code, relating to salary of the judge of the superior court in and for the county of Mono.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Inman: Senate Constitutional Amendment No. 4—Proposed amendment to article V of the constitution, relative to the term of the Governor of the State of California.

Senate Constitutional Amendment No. 4 read, and referred to Committee on Constitutional Amendments.

By Senator Ingels: Senate Bill No. 16—An act providing for the construction of a State highway leading from the town of Middletown, in the county of Lake, to the town of Upper Lake, in said county, via Adams Springs, Kelseyville and Lakeport, all in said county and State of California, and the taking over by the State of California of the public highways between said points.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Evans: Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Land.

By Senators Jones, Nelson and Rochester: Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Concurrent Resolution No. 4—Approving certain amendments to the charter of the County of Alameda, State of California.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FOUR.

Senator Breed asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 4, at this time, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 4—Approving certain amendments to the charter of the county of Alameda, State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Young.—32.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 4 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator McKinley: Senate Bill No. 19—An act to amend section 2187, 2240 and 2255 of the Political Code, relating to county settlements with the State for maintenance of inmates in institutions and of pupils at the California School for the Deaf and the California School for the Blind.

Bill read first time, and referred to Committee on County Government.

By Senator McKinley: Senate Bill No. 20—An act to amend section 1374, and to add a new section to be numbered section 1375 to the Penal Code, relating to expenses of maintenance in the State hospitals of persons charged with crime.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator McKinley: Senate Bill No. 21—An act to add two new sections to be numbered 1536m and 1789m to the Code of Civil Procedure, relating to dedication of real property for street or highway purposes by executors, administrators and guardians.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 22—An act to amend section 145 of the California Vehicle Act, relating to powers of legislative bodies of counties and cities.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator McKinley: Senate Bill No. 23—An act to amend section 154 of the California Vehicle Act, relating to appearance upon an arrest for misdemeanor.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator McKinley: Senate Bill No. 24—An act to amend section 131 of the Code of Civil Procedure, relating to the incidental expenses of probation officers and deputy probation officers.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator McKinley: Senate Bill No. 25—An act to amend section 2 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended, relating to official bonds of deputies, clerks and subordinate officers in county offices and institutions.

Bill read first time, and referred to Committee on County Government.

By Senator Inman: Senate Bill No. 26—An act to provide for the payment of the highest prevailing rate of wages on public work, whether the work is done by contract or otherwise, and double pay for legal holiday work and for such overtime work as is permitted by law, providing for the ascertainment of such highest prevailing rate by the officer or public body awarding the contract and its insertion in the contract and bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Inman: Senate Bill No. 27—An act to amend section 736*b* of the Political Code, prescribing the payment of compensation of judges of the superior court.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Inman: Senate Bill No. 28—An act to amend section 736*c* of the Political Code, prescribing the payment of salaries of judges of the superior court.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Rich: Senate Bill No. 29—An act to amend section 1383 of the Code of Civil Procedure, relating to revocation of letters of administration.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rich: Senate Bill No. 30—An act to amend section 831 of the Code of Civil Procedure, relating to change of place of trial.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rich: Senate Bill No. 31—An act to amend section 396 of the Code of Civil Procedure, relating to change of place of trial.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rich: Senate Bill No. 32—An act to amend section 1579 of the Code of Civil Procedure, relating to notice in certain probate proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rich: Senate Bill No. 33—An act to amend section 1789 of the Code of Civil Procedure, relating to notice of certain sales of property under administration.

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 34—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts." Approved June 10, 1913, by amending section 2 of said act relative to the formation of districts organized thereunder and by amending sections 20 and 21 of said act, relative to the levy and collection of taxes in such districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 35—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 36—An act confirming, ratifying and declaring valid the formation and organization of Castro Valley County Water District and also all of the acts and proceedings of said district.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 37—An act to amend sections 6b, 8, 9, 10, 11, 18, 20 and 23 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon." approved May 23, 1921, as amended, also to add a new section to said act to be numbered 6e, relating to the limitation of time for commencing actions to contest the validity of proceedings for the annexation of territory to municipal utility districts, also to amend section 12 of said act as amended by amending subdivision 8 thereof, relating to incurring indebtedness by such districts and providing for refunding of deposits for extensions, and to add a new section to said act to be numbered section 12a legalizing, ratifying, confirming and declaring valid certain obligations, acts, agreements and expenditures of such districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 38—An act to enable municipalities to become annexed to municipal utility districts, to agree upon and give effect to terms and conditions of annexation and to transfer prop-

erty to municipal utility districts in consideration of and upon annexation.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 39—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by adding a new section to be numbered 12a, relating to the annexation of county water districts to municipal utility districts, enabling the legislative body of any county water district to agree upon and give effect to terms and conditions of annexation and transfer property to municipal utility districts in consideration of and upon annexation, and declaring the urgency of said amendment.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 40—An act to amend section 6a of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the annexation of municipalities and county water districts to municipal utility districts, and declaring the urgency of said amendment.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Breed: Senate Bill No. 41—An act making an appropriation to pay the claim of Joseph E. Painter against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Harper: Senate Bill No. 42—An act to add a new section to the Code of Civil Procedure of California, to be known as section 66a, relating to judges of the superior court in San Diego County, and to repeal certain acts therein named.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Baker: Senate Concurrent Resolution No. 5—Relative to amendment to the charter of the city of Salinas voted and ratified by the electors of said city, at the regular election held on the fourth day of November, 1930.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER FIVE.

Senator Baker asked for, and was granted, unanimous consent to take up for consideration at this time Senate Concurrent Resolution No. 5, without reference to committee for purpose of adoption.

Senate Concurrent Resolution No. 5—Relative to amendment to the charter of the city of Salinas voted and ratified by the electors of said city, at the regular election held on the fourth day of November, 1930. Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 5 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—30.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 5 ordered transmitted to the Assembly.

COMMUNICATION.

The following communication was received, read, and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, January 7, 1931.

Hon. Frank F. Merriam,
Lieutenant Governor of California,
President of the Senate,
Forty-ninth Session, California Legislature.

MY DEAR SIR: In accordance with chapter 561 of the 1929 Statutes, I have the honor to submit herewith a certified copy of the report of the California Joint Federal-State Water Resources Commission.

An additional certified copy has also been filed with Honorable Edgar C. Levey, Speaker of the Assembly.

A copy was also tendered to Honorable C. C. Young prior to the expiration of his office, and in addition copies were presented to Honorable James Rolph, Jr., Governor of the State of California.

Respectfully submitted.

EDWARD HYATT, Secretary,
California Joint Federal-State Water Resources Commission.

ADJOURNMENT.

At eleven o'clock and twenty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Friday, January 9, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, January 9, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wag, Williams, and Young—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 8, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Christian was, on motion of Senator Cleveland, granted leave of absence for this day.

Senator Ingels was, on motion of Senator Williams, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George K. Anderson of Byron, president Contra Costa County chamber of commerce.

COMMUNICATIONS.

The following communication was received, and, on motion of Senator Allen, ordered printed in the Journal:

A PLEA FOR THE WELFARE OF CALIFORNIA'S MOUNTAIN COUNTIES.

The people of the mountain region of California feel that something should be done to protect their present, and especially their future water supply.

Up to a few years ago, they did not sense the danger; but since cities and irrigationists have been carrying the water away to other parts of the State, the mountain people face the peril that the day is not far distant when there will be no water supplies left to the mountain regions for their own development.

At the present rate it will not be long before new enterprises among our mountain people will become impossible. This means that no one could prospect for more mines. The decline of gold supply that is already disturbing these depressed times would be hastened on. Nonmetallic deposits could fare no better. There could be no further growth of our horticulture pursuits. It means also that there will be no increase of mountain customers for city factories, and no additional mountain summer homes for city people.

This is not a question of private individuals. It perils the development of California as a whole, resembling in this respect the question of the mountain forests in years past. When the government saw the danger to the forests it withdrew from entry a portion of the timbered area, creating what are now national forests.

A bill similarly reserving for the development of the mountain counties some of the hitherto unclaimed and unappropriated water within their borders was passed by the Legislature of California in 1925, and again in 1927. Both times the dissenting votes in both Houses did not exceed a dozen. The Legislature in both instances recognized the justice of the proposal, realized the danger, and would have accorded the remedy had the Governor been as well disposed.

We therefore offer for your consideration the hope that you will look favorably upon the measures for the protection of the mountain counties that will be presented to the next Legislature. Any influence that you can bring to bear will be welcomed. The views above expressed have been approved by:

Chamber of Commerce of Amador County,
Chamber of Commerce of Calaveras County,
Chamber of Commerce of El Dorado County,
Chamber of Commerce of Mariposa County,
Chamber of Commerce of Placer County,
Chamber of Commerce of Tuolumne County.

Yours sincerely,

CALAVERAS CHAMBER OF COMMERCE.
D. FRICOT, President.

Also:

The following communication was received, and, on motion of Senator Hays, ordered printed in the Journal:

"WHEREAS, The County Assessors' Association of California, recognizing the steadily increasing demand that exists for the revision of State laws relating to local taxation and assessment procedure, expresses the belief and conviction

that before such revision can be intelligently undertaken, it is essential that facts concerning the present conditions in so far as local taxation and assessment procedure are concerned be secured; and

WHEREAS, The county assessors of the State of California are firmly of the opinion that any tax legislation based solely upon theory is a dangerous expedient; now, therefore, be it

Resolved, That the County Assessors' Association of California, in annual convention assembled, records itself as recommending the creation of an agency of the State government, to consist of men experienced in the practical administration of laws relating to local taxation and assessment procedure, and in the practical handling of the problems that administration of such laws imposes—said agency under the direction of elected officials, to be vested with the duty of assembling and compiling as directed, the basic facts which relate to local taxation laws and local assessment procedure; the said agency acting under such directions to devote its entire time to the study of local taxation and assessment problems, with the definite restriction of its powers to such task, said agency to have no powers, duties, functions or jurisdiction beyond assembling and compiling and reporting facts relative to local taxation and assessment problems; and, be it further

Resolved, That the chairman of the legislative committee of this association be, and hereby is, instructed to transmit on January 5, 1931, duly authenticated copies of this resolution to His Excellency the Governor of the State of California, the Lieutenant Governor, and the Speaker of the Assembly of the State of California."

The foregoing is a true and correct copy of resolutions adopted by the County Assessors' Association of California, at their convention held at Catalina Island, September 25, 1930.

Attest:

G. P. CUMMINGS, Secretary.
County Assessors' Association of California.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 1—Relative to memorializing Congress to amend the World War Veterans Act by providing for the cash payment of the surrender value of adjusted service certificates.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Joint Resolution No. 1 referred to Committee on Military Affairs.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator McKinley: Senate Concurrent Resolution No. 6—Approving eight certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the fourth day of November, 1930.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SIX.

Senator McKinley asked for, and was granted, unanimous consent to consider Senate Concurrent Resolution No. 6 at this time, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 6—Approving eight certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 6 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, and Young—29.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 6 ordered transmitted to the Assembly.

COMMUNICATION.

The following communication was received, read, and ordered printed in the Journal:

January 8, 1930.

*Secretary of the Senate,
Sacramento, California.*

DEAR SIR: I am handing you herewith report of the Legislative Penitentiary Committee appointed pursuant to Senate Concurrent Resolution No. 28, of the session of 1929.

Yours very truly,

GEO. W. ROCHESTER.

REPORT.

The following report was received, and, on motion of Senator Rochester, ordered printed in the Journal:

REPORT OF THE LEGISLATIVE PENITENTIARY COMMITTEE.

LOS ANGELES, CALIFORNIA.

To Forty-ninth Session of the Legislature of California; Hon. James Rolph, Jr., Governor of the State of California; Rolland Vandegrift, Director Finance Department; Walter Garrison, Director of Board of Public Works; Charles Neumiller, Chairman of Prison Board; Daniel O'Brien, Director of Penology.

GENTLEMEN: During the session of the Legislature of 1927 a committee was appointed under Assembly Concurrent Resolution No. 17 by the Speaker of the Assembly, and under Senate Concurrent Resolution No. 15 by the Lieutenant Governor, to inspect sites "as to the advisability of establishing a State's prison in one of the southern counties of the State of California." The committee appointed was composed of Senators Patrick Gray and Joseph Pedrotti and Assemblymen Woolwine, Hawes and Rochester.

Inspections by the committee were started and continued throughout the southern counties until the convening of the 1929 Legislature. A report was given to the Legislature wherein the committee stated that it was unprepared for a definite site selection and asked for a continuance of its powers in order to fully cover the ground before recommending in accordance with the above resolutions.

Following the advice of the committee there was enacted in the 1929 Legislature Senate Concurrent Resolution No. 28 reappointing the same committee for the same work and ordering after completion of the inspection that a "report of their findings in full be submitted to the forty-ninth session of the Legislature"; that this report should contain the "advisability of locating a State's prison in one of the southern counties of this State and recommending to the Legislature a suitable location therefor and the estimated cost of construction thereof * * * and to collaborate with State officials in their reports"; that this committee at some subsequent date near the convening of the forty-ninth session of the Legislature will report as to the cost of construction of the penitentiary.

This committee after investigating the penal institutions of California and their facilities in handling the ever-increasing personnel of prisoners, advise the location of a State's prison in one of the southern counties; that the cost of transportation to San Quentin and Folsom of prisoners from the ten counties south of the Tehachapi amounts to hundreds of thousands of dollars a year and this item alone compels the establishment of a penal institution in one of those counties. The additional outlay for the penitentiary will not equal over three or four years of transportation costs now expended, and from a financial standpoint it is economically advisable to establish said institution.

Upon the same premise it is advisable, if possible, that said institution be located somewhere in Los Angeles County inasmuch as practically one-half of the inmates at Folsom and San Quentin come from that county. The transportation item will therefore be solved and a saving for the State and the counties in having the institution in that county.

Due to the deplorable increase of juvenile crime it was recommended by the Crime Commission to the 1929 session of the Legislature that the contemplated penal institution be built for "juvenile felons from 18 to 24." This committee agrees with that recommendation and incorporates its approval of same within this report.

After three years of investigation and inspection this committee has traversed the counties of Kern, San Bernardino, Ventura, Riverside, Orange, San Diego and Los Angeles, and has considered approximately 150 submitted sites in these counties. A most thorough inspection has been made as to the location, future development, transportation, soil facilities, climate, water facilities and accessibility.

This committee has cooperated with the committee created by the Legislature of executives and administrative officials and with the subcommittee composed of technical officers of the State.

By reason of the fact that the Legislature appropriated only \$1,000 for expenses, the investigation carried on by the committee has been primarily first hand by the members of the committee, and a great deal of effort has been made to secure the data and statistics necessary by appealing to authorities of soil, water, etc., to furnish information for civic consideration and without cost to the State. This has made the conclusions reached after the committee's thorough investigation, slow in formulating, and extended in time. Just before the convening of the forty-ninth session of the Legislature, your committee met with the committee of executives and administrative officials and endeavored to select the proper site, but was prevented from so doing by reason of the shortness of time and difficulty in clearing the title to the property agreed upon by the majority.

For the above reasons your committee recommends that another concurrent resolution be passed by the Legislature in the 1931 session, reappointing your committee, so that the negotiations interrupted by the convening of the session may be continued.

Your committee verily believes that with the cooperation of the newly appointed personnel of the executives and administrative officials, it may select a site and be able to acquire title for the State before the adjournment of the present session, at which time a full report will be made.

In accordance with this suggestion, therefore, your committee will introduce a Senate concurrent resolution and ask unanimous consent to have it considered without reference to committee or file. We advise this procedure by reason of the fact that it seems imminent that a selection can be made in the near future, or as soon as the power is delegated by the Legislature. There is great need that extended prison facilities be inaugurated for the benefit of the State as soon as feasibly possible.

Respectfully submitted.

CLARE WOOLWINE, Chairman.
JOSEPH L. PEDROTTI.
FRED HAWES.

By GEO. W. ROCHESTER, Secretary.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator McKinley: Senate Bill No. 43—An act to amend section 3 of chapter 529, Statutes of 1929, entitled "An act to provide for needy blind persons, not inmates of any institution supported in whole or in part by the State or any of its political subdivisions, making appropriation therefor and prescribing penalties for the violation of the provisions of the act," approved May 28, 1929, relating to who may receive benefits of the act.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Senator McKinley: Senate Bill No. 44—An act to amend section 2167b of the Political Code, relating to the residence and cost of maintenance of psychopathic parole patients.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator McKinley: Senate Bill No. 45—An act to amend sections 2, 3, 4 and 6, and to add a new section to be numbered section 2½ of chapter 210, Statutes of 1901, entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or

cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to residence of indigent persons, the bringing of indigents into the State, and the reimbursement of counties for aid advanced indigents.

Bill read first time, and referred to Committee on County Government.

By Senators Edwards, Breed, Allen, Baker, Cassidy, Duval, Harper, McCormack, McKinley, Riley, Sharkey, Swing, and Waggy: Senate Bill No. 46—An act establishing certain additional State highways and classifying them as secondary highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Sharkey: Senate Bill No. 47—An act to add section 5.128 to the School Code, relating to the requirements to be met by persons applying for credentials for employment in the public schools.

Bill read first time, and referred to Committee on Education.

By Senator Moran: Senate Bill No. 48—An act to add a new section to the Political Code, to be numbered 3475, relating to the effect of sales of land for delinquent assessments, where the land is also situated in one or more districts or public corporations.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator McCormack: Senate Bill No. 49—An act repealing chapter 537, Statutes of 1911, entitled "An act to provide for the preparation and distribution of serums or vaccines for the prevention of the disease known as cholera in hogs in the State of California, making an appropriation therefor and prescribing the duties of the Controller and Treasurer in relation thereto," approved April 21, 1911.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Slater: Senate Bill No. 50—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Swing: Senate Bill No. 51—An act relating to and providing for the construction of flood control works on the Santa Ana River system and for the prevention of floods and conserving of the flood waters of said river and its tributaries and making an appropriation therefor.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Rich: Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, school districts and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property;

prescribing the duties of the officers thereof in such cases, authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect them against such liability, and repealing chapter 328, Statutes of 1923, entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances, approved June 13, 1923," limiting the liability of municipalities, counties, cities and counties, school districts, or other public or quasi-public corporations for the negligence of their respective officers in certain instances.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Rich: Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to negligence or carelessness of such officers; prescribing the duties of claimants in such cases, authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect their officers against such liability, and repealing chapter 360, Statutes of 1919, entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911", relating to the liability in damages of the officers of districts, towns, cities and counties, counties, and of the State of California.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Harper: Senate Bill No. 54—An act to amend section 11 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905" approved June 6, 1913, relating to redemption of property sold.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Harper: Senate Bill No. 55—An act to amend sections 3746, 3756, 3758, 3759, 3764 and 3797 of the Political Code, relating to the collection of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Harper: Senate Bill No. 56—An act to add two new sections to the Penal Code, to be numbered 597*h* and 597*i*, relating to the cropping of the ears of dogs.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Rochester: Senate Bill No. 57—An act to add a new section to the Penal Code, to be numbered 374½, relating to the discharge of oily waste water from certain classes of vessels.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Rochester: Senate Bill No. 58—An act to amend section 1 of chapter 316, Statutes of 1927, entitled "An act to regulate the method of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, to include justice of the peace court and all other inferior courts now existing or which may hereafter be provided by law.

Bill read first time, and referred to Committee on Elections.

By Senator Rochester: Senate Bill No. 59—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 60—An act to amend section 8½ of the California Vehicle Act, relating to the definition of authorized emergency vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Rochester: Senate Bill No. 61—An act to add a new section to the Political Code, to be numbered 4177, relating to the sheriff's duty in caring for money and property of prisoners.

Bill read first time, and referred to Committee on County Government.

By Senator Rochester: Senate Bill No. 62—An act to amend section 4307 of the Political Code, relating to county charges.

Bill read first time, and referred to Committee on County Government.

By Senator Rochester: Senate Bill No. 63—An act to amend section 30 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and provide a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the

act approved April 7, 1911, known as the Direct Primary Law and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 13, 22, 23 and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to statement of expenses by candidates, and excluding candidates for certain offices.

Bill read first time, and referred to Committee on Elections.

By Senator Rochester: Senate Bill No. 64—An act to amend chapter 350, Statutes of 1907, entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, by adding thereto a new section designated section 24, excluding from the operation of said act candidates for certain offices.

Bill read first time, and referred to Committee on Elections.

By Senator Rochester: Senate Bill No. 65—An act to amend section 24 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees.

Bill read first time, and referred to Committee on Elections.

By Senator Rochester: Senate Bill No. 66—An act to amend section 4041.10 of the Political Code, relating to the changing of boundaries of election precincts.

Bill read first time, and referred to Committee on Elections.

By Senator Rochester: Senate Bill No. 67—An act to amend section 4041.5 of the Political Code, relating to special county taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Rochester: Senate Bill No. 68—An act to amend sections 269 and 274 of the Code of Civil Procedure, relating to phonographic reporters.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

RECESS.

At eleven o'clock and five minutes a.m., on motion of Senator Breed, the President declared the Senate at recess until the hour of eleven o'clock and twenty-five minutes a.m.

RECONVENED.

At eleven o'clock and twenty-five minutes a.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Moran: Senate Bill No. 69—An act to add a new section to the Political Code to be numbered 3466a, relating to sales and leasing of lands sold and held by the district or county treasurer of the county as trustee of the bond fund.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Duval: Senate Bill No. 70—An act to amend sections 9 and 19 of chapter 186, Statutes of 1907, entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration of drugs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Riley: Senate Bill No. 71—An act relating to the Piute Pass Highway and to making a survey, location, and estimate of cost of the highway to be known as the Piute Pass Highway, extending from a point on the south fork of the San Joaquin River at Florence Lake, Fresno County, to North Lake on the north fork of Bishop Creek, Inyo County.

Bill read first time, and referred to Committee on Roads and Highways.

ADJOURNMENT.

At eleven o'clock and thirty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, January 12, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, January 12, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—33.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 9, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Karl Brueck of Stockton.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rolland A Vandegrift, Director of Finance, State of California.

OATH OF OFFICE ADMINISTERED.

Senator Herbert C. Jones of the Eighteenth District came forward, presented his certificate of election, and took and subscribed to the following constitutional oath of office, administered by Hon. J. A. Plummer, Associate Justice of the District Court of Appeal, Third District.

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

LEAVES OF ABSENCE

Senators Baker and Cleveland were, on motion of Senator Christian, granted leave of absence for this day.

Senator Edwards was, on motion of Senator McKinley, granted leave of absence for this day.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 1—Relative to the retrocession by the Congress of the United States of jurisdiction over the proposed rights of way for the approach roads, toll plazas and bridge ends of the proposed Golden Gate Bridge.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Joint Resolution No. 1 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 9, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 2—Relative to approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930.

Also: Senate Concurrent Resolution No. 4—Relative to approving certain amendments to the charter of the county of Alameda, State of California.

Also: Senate Concurrent Resolution No. 6—Approving eight certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the fourth day of November, 1930.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Concurrent Resolutions Nos. 2, 4, and 6 ordered to enrollment.

RESOLUTION.

The following resolution was offered :

By Senator Swing:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw their warrants in favor of the respective persons for the said respective amount, and the Treasurer is hereby directed to pay the same:

Lena A. Redding, Assistant Postmistress-----	\$4 00 per day
Julia Hayes, Stenographer-----	5 00 per day
John Crotty, Assistant Sergeant-at-Arms-----	5 00 per day

Resolution read.

Senator Swing moved the resolution be adopted.

The question being on the final adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Rochester: Senate Concurrent Resolution No. 7.—Relative to establishment of a State prison in one of the southern counties of the State of California.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SEVEN.

Senator Rochester asked for unanimous consent to consider Senate Concurrent Resolution No. 7, at this time, without reference to committee.

Unanimous consent refused.

Senate Concurrent Resolution No. 7 referred to Committee on Prisons and Reformatories.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator McKinley: Senate Concurrent Resolution No. 8.—Approving certain amendments to the charter of the city of Glendale, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER EIGHT.

Senator McKinley asked for, and was granted, unanimous consent to consider Senate Concurrent Resolution No. 8, at this time, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 8—Approving certain amendments to the charter of the city of Glendale, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 8 adopted by the following vote:

AYES—Allen, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 8 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Breed: Senate Concurrent Resolution No. 9—Approving certain amendments to the charter of the city of Piedmont, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at the special municipal election, held therein on the fourth day of November, 1930.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER NINE.

Senator Breed asked for, and was granted, unanimous consent to consider Senate Concurrent Resolution No. 9, at this time, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 9—Approving certain amendments to the charter of the city of Piedmont, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at the special municipal election, held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 9 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Hays: Senate Bill No. 72—An act creating a game refuge to be known as the Huntington Lake Game Refuge, providing for the conservation and protection of game within such district, and providing penalties for violation of the act.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Moran: Senate Bill No. 73—An act to amend section 7 of chapter 361, Statutes of 1915, entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers,

duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Cassidy: Senate Bill No. 74—An act to add section 24a of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also, to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to chairmen of county central committees.

Bill read first time, and referred to Committee on Elections.

By Senator Mixer: Senate Bill No. 75—An act to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a Board of Fire Commissioners," approved March 4, 1881, as amended, relating to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder.

Bill read first time, and referred to Committee on County Government.

By Senator Rochester: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California to enact a new section of the constitution to be known as article II, section 2½a, relating to voting.

Senate Constitutional Amendment No. 5 read, and referred to Committee on Constitutional Amendments.

By Senator Rochester: Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170b, relating to justices of the peace, police court judges and city recorders.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 77—An act to amend section 963 of the Code of Civil Procedure, relative to interlocutory decrees of divorce.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 78—An act to amend sections 61 and 131 of the Civil Code and to repeal section 132 of the Civil Code, relating to interlocutory decrees for divorce.

Bill read first time, and referred to Committee on Judiciary.

By Senator Swing: Senate Bill No. 79—An act to amend section 626d of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Rochester: Senate Bill No. 80—An act to amend section 1382 of the Penal Code, relating to dismissal of an action for want of prosecution.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Jones: Senate Bill No. 81—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 82—An act to amend sections 11 and 17 of chapter 853, Statutes of 1927, entitled "An act prescribing the terms upon which licenses or certificates of registration may be issued to practitioners of barbering, creating the State Board of Barber Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved May 31, 1927, as amended, relating to permits and licenses and fees therefor.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Maloney: Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day or portion thereof, any alien is permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Rochester: Senate Bill No. 84—An act to amend section 1 of chapter 322, Statutes of 1913, entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, as amended, relating to the Legislative Counsel of California.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Harper: Senate Bill No. 85—An act to amend section 2 of chapter 620, Statutes of 1915, entitled "An act authorizing any city, city and county, county, town, municipality or other political subdivision to acquire certain liens or property offered for sale for the nonpayment of certain assessments," approved June 4, 1915, relating to the disposal of such lien or property.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Harper: Senate Bill No. 86—An act to amend section 862 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the power of boards of trustees in cities of the sixth class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Jones: Senate Bill No. 87—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 88—An act to amend sections 1547 and 1549 of the Code of Civil Procedure, relating to the giving of notice of sales of property by executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

RESOLUTION.

The following resolution was offered:

By Senator Ingels:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law.

Senators	County	Mileage	Total at five cents per mile
Allen, James M.	Siskiyou	590	\$29 50
Baker, C. C.	Monterey	414	20 80
Breed, Arthur H.	Alameda	168	8 40
Bush, David F.	Stanislaus	168	8 40
Carter, Henry E.	Los Angeles	944	47 20
Cassidy, Bert A.	Placer	74	3 70
Christian, E. H.	Alameda	182	9 10
Cleveland, George C.	Santa Cruz	446	22 30
Crittenden, B. S.	San Joaquin	136	6 80
Deuel, Charles H.	Butte	228	11 40
Duval, Walter H.	Ventura	996	49 80
Edwards, Nelson T.	Orange	970	48 50
Evans, H. J.	Los Angeles	914	45 70
Fellom, Roy	San Francisco	189	9 00
Harper, William E.	San Diego	1,146	57 30
Hays, Ray W.	Fresno	338	16 90
Ingels, R. R.	Mendocino	331	16 55
Inman, J. M.	Sacramento	2	10
Jones, Herbert C.	Santa Clara	256	12 80
Maloney, Thomas A.	San Francisco	180	9 00
McCormack, Thomas	Solano	124	6 20
McKinley, J. W.	Los Angeles	894	44 70
Merriam, Frank F.	Los Angeles	938	46 90
Mixter, Frank M.	Tulare	432	21 60
Moran, John L.	Tehama	274	13 70
Nelson, H. C.	Humboldt	624	31 20
Pedrotti, J. L.	Los Angeles	894	44 70
Rich, W. P.	Yuba	104	5 20
Riley, Joe	Inyo	1,022	51 10
Rochester, George W.	Los Angeles	894	44 70
Schottky, Andrew R.	Merced	228	11 40
Sharkey, Will R.	Contra Costa	124	6 20
Slater, Herbert W.	Sonoma	180	9 00
Swing, Ralph E.	San Bernardino	1,016	50 80
Tubbs, Tallant	San Francisco	180	9 00
Wagy, J. I.	Kern	556	27 80
Williams, Dan E.	Tuolumne	290	14 50
Young, Sanborn	Santa Clara	278	13 90
Officers			Total at ten cents per mile
Carnahan, H. L., President	Los Angeles	894	\$89 40
Beek, Joseph A., Secretary	Orange	1344	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Powers, Harold J., Minute Clerk	Modoc	832	83 20

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Malonel, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—32.

COMMUNICATION.

The following communication was received, and, on motion of Senator Breed, ordered printed in the Journal:

January 10, 1931.
File No. 149.

Joseph A. Beek,
*Secretary of the Senate,
Sacramento, California.*

DEAR SIR: Enclosed find copy of the report of the Railroad Commission to the Legislature on fruit and vegetable auctions, pursuant to Assembly Concurrent Resolution No. 43, chapter 80, Laws of 1929. Under this resolution our commission is to report directly to the Legislature. I am therefore transmitting copy of the report, which I will ask you to kindly present to the Senate.

For your information, I may say that the report has been printed ready for distribution to the members of the Legislature.

Very truly yours,

C. L. SEAVEY, President.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received, and ordered printed in the Journal:

BUDGET MESSAGE OF JAMES ROLPH, JR.,
GOVERNOR OF CALIFORNIA.

To the Members of the Senate and Assembly.

The budget herewith presented has been prepared in accordance with section 34 of article IV of the State constitution. This section designates clearly how the budget is to be prepared and what it should contain, but it does not specify the form to be used.

NEW STYLE BUDGET.

It is expected that improvements will be made in the form of the budget in succeeding bienniums as experience indicates desirable changes. Happily this has been the experience with each succeeding budget since the executive budget law became effective. I believe you will agree with me that this budget presents a number of improvements over the previous document. It contains greater details than any previous budget, yet all changes and improvements have been incorporated so that comparisons can be made with prior budgets and a desirable continuity maintained.

The expenditures of each State agency have been analyzed so as to present detailed cost of each function performed by such agency. In budgets heretofore presented the expenditures were analyzed merely by the four objects: "salaries and wages," "materials and supplies," "service and expense," and "equipment." In this budget, in addition to maintaining these classifications by the above four objects, expenditures are also grouped so as to show total cost of each function. For example, an institution budget in the new form presents the cost of "administration," "support and subsistence" (of inmates), "care and welfare" (of inmates), "maintenance and operation of plant," and "farming," details being given under each of these functions as to costs for salaries, materials, service and equipment. This more complete analysis of the proposed expenditures makes possible a more detailed and complete study of the activities of every State agency and I am sure you will find it helpful and useful in your consideration of the budget.

You will find the budget in a new dress. In presenting a budget with more detail, it was found desirable to change from the 6" x 9" to an 8½" x 11" size. The adoption of the larger size provides added space and permits the use of larger size type, making the budget much easier to read. The larger size lends itself to more economical printing and a material saving has been effected.

ALL PROPOSED EXPENDITURES INCLUDED.

In accordance with the section of the constitution above referred to which reads in part, "the Governor shall * * * submit to the Legislature * * * a budget containing a complete plan and itemized statement of all proposed expenditures of the State provided by existing law or recommended by him," all such expenditures have been included in this budget. Care has been taken, however, not to legislate in this budget. With the exception of a few additions to the

Governor's staff, no recommendation for expenditures for positions which require legislation to create, has been made. Nor have recommendations for other expenditures been included where previous action or circumstances indicate that the Legislature may be expected to act specifically on the matter. Therefore, there is no sum included for the proposed employees' retirement system nor for the indemnity to owners for live stock destroyed to prevent the spread of disease, although these measures were approved by the people at the last general election.

Every dollar of proposed expenditures has been included and clearly designated. The expenses of every department and office have been considered and allocated to the department or office concerned, and the facts presented. This has caused the recommended expenditures of some offices, including the Governor's, to show an increase in excess of the budget average. All known charges have been included, and none have been left to be met from the emergency fund. The previous custom of allowing charges such as forest fire suppression costs, amounting to approximately \$200,000 a biennium, to be paid out of the emergency fund, has been discontinued. Such items appear in the budget and so leave the emergency fund to serve its real purpose.

The proposed expenditures, as in the two previous budgets, include every dollar, whether to be disbursed directly by the State, or indirectly through the agency of the federal government or the counties. These indirect disbursements include amounts for flood control, schools, highways, orphan aid, and, added within the present biennium, aid for the blind and for the aged.

As a result of this plan of including every proposed expenditure and setting up in the budget every known charge against the State, and leaving no item which can be forecast to fall as a charge against the emergency fund, it is hoped to reduce special appropriation measures to a minimum. Special appropriations should be limited to such items as have been approved by the vote of the people or such as in the judgment of the Legislature are essential. The present economic condition of the State and the reduced ability of the taxpayers of the State to meet public expenditures should be considered. The fact that every request for expenditures has been fully considered and that allowances are recommended for normal expansion in all services, for normal increases in salaries, and for a capital outlay program consistent with the needs of our institutions and the ability of the State to pay, should tend to limit the necessity for the enactment of special appropriations.

BUDGET IN THREE SECTIONS.

Following the plan of the previous budget, this one has been divided into three separate sections so that comparisons can be made. The first section covers the general budget; the second section presents the educational budget, and the last the highway budget. Expenditures for highways continue to make up the largest percentage of the budget. The amount included for highway purposes for the ensuing biennium is 41.61 per cent, compared with the 44 per cent contemplated in the budget for the biennium just coming to an end and the 43.55 per cent actual and estimated expenditures being incurred during this period. The amount recommended for education is 32.58 per cent of the entire budget, as compared with the 32 per cent recommended in the last budget and the 31.43 per cent actual and estimated expenditures incurred during its period. The expenditures for the general activities of the State comprise the remainder, or but 25.81 per cent, as compared with the 24 per cent recommended in the last budget, and the 25.02 per cent actual and estimated expenditures for the biennium ending June 30, 1931.

Experience indicates that a large group of the public is particularly interested in expenditures made by the State for educational purposes, while another very large group is particularly interested in expenditures for highways. Probably the smallest percentage of the public is interested in expenditures for the general activities of the State. For reasons of economy, the custom of printing special pamphlets dealing with the highway and educational sections of the budget will be continued. These will be available for distribution on request.

DEPARTMENTAL REQUESTS REPORTED.

The amounts requested by the various divisions, departments, institutions, agencies and officers of the State, and the reasons for deductions and increases made in some of the requests, are presented. Detailed explanations have been inserted in the budget accompanying the recommendations for each agency.

FIXED CHARGES AND CONTROLLABLE ITEMS.

I wish to call your attention to the fact that of the total budget of \$265,345,955.38, as recommended, only \$82,294,280.62, or 31.01 per cent, comes under the direct control of the Governor. In the budget for the present biennium this percentage was 28.89. A large part of the increase in the amount under control of the Governor is due to the fact that the ten-year financial program of the University of California, as determined by the Legislature, ends with the present biennium. Theoretically at least, the Governor now has control of this amount previously fixed by legislative enactment. In practice, however, very little actual control can be resumed by the Governor for the reason that the needs of the university have not ceased or changed with the termination of the ten-year financial program established by legislation. The larger part of this budget, not under the control of the Governor and amounting

to \$183,051,674.76, or 68.99 per cent, is made up of fixed charges. These are items which are either definitely fixed by the vote of the people in the constitution or have been appropriated in recurrent amounts by the Legislature. The principal fixed charges and the amounts for each are as follows:

Highway maintenance and construction-----	\$63,322,500 00
Apportionment to counties of funds for highway purposes	31,522,500 00
Apportionment to elementary schools, high schools, and junior colleges-----	58,400,870 00
Bond interest and redemption-----	13,416,340 08

In the tables and charts contained herein showing the comparison of the total fixed charges, the recurrent appropriations for the University of California are not included as fixed charges for any of the periods shown. For all practical purposes, as explained above, there has been no increase in the controllable portion of the budget because of the lapse of this item.

GENERAL AND SPECIAL FUND EXPENDITURES INDICATED.

Another new feature of this budget which appears to be particularly valuable is the use of three distinctive styles of type to indicate for each item of expenditure the class of funds from which the expenditure is to be made. Every figure shown in light face Roman type indicates that the expenditure is to be made from the general fund. Every item of expenditure shown in italic type indicates that the expenditure is to be made from a special fund. Figures in bold face type indicate that the item is a combination of both general and special funds. The same method has been used in the revenue tables to indicate whether the item is a general fund or a special fund revenue. This method of showing the various items of expenditure or revenues will be of material aid in your study of the budget and in its use by the general public.

THE GENERAL BUDGET.

The general budget totals \$68,523,622.54. This represents an increase of only 7.333 per cent over the actual and estimated expenditures of the biennium just closing. This increase is practically in the same ratio as the average estimated increase of population for the next two years, as indicated by the average of the projections of the predominating trends during the past ten years. The increase in the general budget has been held within this percentage through adherence to an economy program which recognizes the reduced ability of taxpayers to pay. At the same time normal increases in services of the State have been taken care of, and other increased services have been undertaken through assuming the full load of aid for the aged and the blind, and a number of miscellaneous charges which have previously been paid out of funds from other sources. Also, there has been an exceptional increase in the fixed charge for bond interest and redemption in the general budget for the coming biennium, amounting to 46.7 per cent. This great increase is due primarily to an increase of 108 per cent in bond interest and redemption payable from the general fund. The payments for the current biennium amount to \$950,576.75, while they will total \$1,977,657 during the ensuing biennium, because of the maturity of a large block of "State Building and University Buildings" bonds, and heavier interest charges on increased issues of "Park" and "Tenth Olympiad" bonds. The inclusion of normal charges for San Francisco Harbor bonds (payable from the Harbor Improvement Fund) in this section of the budget produces the net increase of 46.7 per cent as shown above.

In this section of the budget, as well as in the others, an economical but not a niggardly program has been provided for. You will find, when you study the detailed budget, that I have not been unmindful of the essential needs of every State agency. Every consideration has been given to provide adequately for existing services with normal advancement in every activity. Nevertheless, the percentage of increase in the general budget is the smallest since the adoption of the executive budget.

The condensed table shown below presents a comparison of the expenditures for the biennial periods between July 1, 1923, and June 30, 1933. It is appreciated that the percentage of increase shown in the general budget may be still further augmented by special appropriations by the Legislature, and that such appropriations are reflected in the expenditure percentage items indicated for prior bienniums. Of the general budget, \$13,414,790.08 represents fixed charges, not subject to control by the Governor.

GENERAL BUDGET.

Fiscal years of biennium	Date limits of biennium	Total expenditures for biennium	Percentage of increase
75th and 76th-----	1923-1925	\$39,338,710 64	-----
77th and 78th-----	1925-1927	46,002,964 89	16.941
79th and 80th-----	1927-1929	54,618,277 64	18.728
81st and 82d-----	1929-1931	63,842,695 07	16.888
83d and 84th-----	1931-1933	68,523,622 54	7.333

The general budget has been rearranged according to departmental functions consistent with the reorganization of the State government and natural groupings into functional groups. For example, the Railroad Commission has been taken out of the Investment Regulation section, where it was shown in the prior budget, and has been set up separately under the designation of Public Utility Regulation.

Instead of following the form of previous budgets in classifying only the expenditures recommended for the ensuing biennium under the four headings, "support," "special items," "fixed charges," and "permanent improvements," this budget presents a complete analysis of not only the proposed budget for the new biennium, but also of the actual and estimated expenditures for the biennium drawing to a close. The expenditures of these two biennial periods have been classified as follows:

A. Expenditures for State activities.

1. Current expenses.

Under this heading fall all items of usual and current State expense for support and special items.

2. Permanent improvements.

Under this head fall all items of capital outlay, including all construction and improvement of highways as well as outlay for land, structures and other lasting improvements.

3. Bond interest and redemption.

Under this heading is shown the amount required to pay the interest on, and reduce, the State debt.

B. Subventions to counties and other agencies.

Under this heading are shown all apportionments of funds which the State does not spend directly, such as those apportioned to counties or other local subdivisions for schools and highways, or funds contributed for aid to orphans, the aged or the blind.

It is believed that this enlarged analysis of the expenditures, giving a detailed comparison of two biennial periods, will present a much more intelligible summary of the expenditures than has been presented in any preceding budget. This improved form of the budget compares favorably with that of any other State budget, and in many respects is undoubtedly far superior.

SALARY INCREASES.

Following the recommendation made by my predecessor in his budget message of two years ago, no attempt has been made to show individual salary increases for each respective employee listed in the budget. It is quite obvious that any attempt to determine the individual salary increase from one to two years in advance of the time of payment is not the best budget procedure. It is also questionable administrative efficiency to set up salary increases for specific positions, and in a sense, to handicap the administrator of a department.

In this budget a single item covering the allowance for salary increases is included for each State agency. The actual allotments for salary increases are subject to civil service regulations and are to be made by the head of the agency or department at the time salary increases are due employees. This method, I am quite sure, will be much fairer to the efficient administrator and employee, and will give much better results than the old method of fixing salary increases far in advance. Heretofore often it has been necessary because of inefficiency or lack of improved service to deny an employee the salary increase set forth in the printed budget. The employee, knowing that the salary increase had been included in the budget, felt that an injustice was being done him when the appointing power refused to grant such salary increase. By this improved method such controversies are eliminated by providing the lump sum allowance for salary increases in the several agencies and departments.

The amount allowed in the budget for salary increases must be considered as only a part of the sum available, for savings made through replacing high-salaried employees with those drawing lower salaries when replacements are made, is also available for salary increases. The amount allowed has been determined after a careful study of the experience of the past, and it is sufficient to carry on normal salary increases and, in addition, to make some needed adjustments.

NEW PERSONNEL CLASSIFICATION INCLUDED.

The new personnel classification study carried on by the Civil Service Commission has reached such a point that the new designations for positions as determined in this study have been incorporated in this budget. The positions as shown more nearly indicate the actual work performed than has been possible in the past. This new classification will be of material benefit in making it possible for you to consider the salaries being paid and will also be of material assistance in improving the service rendered by the State in having civil service classifications conform strictly to the positions actually filled.

The salaries of the instructors of the State educational institutions under budgetary control have been given special consideration with the idea of placing them on a basis which gives recognition to professional standing. Therefore, the

allowances for salary increases for the instructors of these institutions do not conform in percentage to the allowances for other employees.

REDEMPTION OF FUNDED DEBT BONDS.

As one of the fixed charges there is an item of expenditure of \$282,870 each biennium for interest on \$2,277,500 funded debt 6 per cent bonds of 1873. These bonds would have matured in 1893 but by vote of the people it was determined not to retire them. These bonds had been purchased and held for the School fund and the University fund. The Legislature, by chapter 65, Statutes of 1893, provided that interest should continue to be paid on these bonds, as well as on an amount of \$79,750 due the University Fund for amounts incorrectly withdrawn in previous years. Interest at 6 per cent per annum has been paid on these amounts since that date. This interest rate is in excess of what the State pays on its other obligations. The carrying of the bonds as a funded debt with the interest treated as income to the above mentioned endowment funds, while it is also a charge against the general fund, further complicates the accounting and the control of the State finances. Carrying these bonds so long beyond maturity gives the impression, through published statements, that the State has failed to meet its obligations. It is recommended that consideration be given to the gradual retirement of these bonds.

THE EDUCATIONAL BUDGET.

For the convenience of the officials and citizens particularly interested in expenditures for education, all of these expenditures have been grouped together in a distinct section of the budget. The total educational budget amounts to \$86,439,322.84. This includes \$61,403,874.68 in fixed charges. The fixed charges in the educational budget are nearly all determined by constitutional provision voted directly by the people and the remainder by legislative enactment. The educational budget represents an increase of 7.77 per cent over the present biennium compared with a 10.69 per cent increase for the eighty-first and eighty-second fiscal years over the seventy-ninth and eightieth. The proposed expenditures for the University of California represent an increase of 10.7 per cent over the present biennium. The growing overlap of the educational services provided by the State University, the teachers colleges, and the junior colleges is a matter requiring attention. Detailed information on this subject is presented in the more comprehensive educational budget.

THE HIGHWAY BUDGET.

The highway budget, likewise, for the convenience of those particularly interested in highway expenditures, is presented as a unit grouping of proposed expenditures for this purpose for the next biennium. A comprehensive explanation and discussion precedes this separate section.

The total highway budget of \$110,383,010 is a fixed charge. The estimated decrease of .656 per cent in the estimated expenditures for the next biennium results solely from a falling off in the revenue. All of the revenue estimated as available has been allocated. Out of this total budget amount of \$110,383,010 only \$78,860,510 will be spent directly by the State. One-half of the two cent gasoline tax for maintenance and reconstruction (after deducting cost of collection) is apportioned to the counties and spent as the boards of supervisors direct.

The plan of highway expenditures which is presented in the highway section of this budget is part of an orderly program for improvement of the highways of the State. It appears that this plan should not be disturbed except after most thorough and careful investigation showing modification to be desirable. Included in the total highway budget of \$110,383,010 is the charge for bond interest and redemption on highway bonds which, for the ensuing biennium, amounts to \$8,779,750, and must be met out of the State general fund. The balance of \$101,603,260 represents special fund moneys available for highway purposes.

THE TOTAL BUDGET.

The expenditures contemplated by the final approved budget total \$265,345,955.38. Of this total \$183,051,674.76 represents fixed charges with but \$82,294,280.62 subject to executive and current legislative control. The original requests from all State agencies, coming within this controllable portion of the budget, aggregated \$101,885,060.20. The final approved budget thus presents a reduction of \$19,590,779.58 from such requests.

Following the usual budget procedure, various departments and agencies were asked to send in their requests to the Department of Finance. These requests were studied and consultations and hearings were held under the direction of the then Director of Finance, Senator Lyman M. King. Many of the requests of the various agencies were reduced during these hearings. As a result of these first hearings a tentative budget covering all of the departments, and arbitrarily held within the limits of the estimated revenue, was prepared. This preliminary budget was of great assistance in the preparing of the final budget.

As soon as it could be arranged the formation of the final budget was gotten under way and, under the authority of the Governor-elect, rehearings were held. The assistance of directors of the departments, and the heads of the various institutions, as well as that of other State officials and employees, was called upon.

These hearings were full and complete and were held with the heads of every department, division, and service. In addition, the new directors of the departments of the State were called in and the program of proposed expenditures discussed.

The total recommended expenditures for the next biennium, amounting to \$265,345,955.38, show an increase of but 3.992 per cent over the present biennium. The total amount of the increase is \$10,186,121.10, which is made up of \$9,692,428.20 from the general fund and of only \$493,692.90 from the special funds. Of the total increase, \$4,608,014.86, or 45.24 per cent, is an increase in fixed charges, which can not be avoided under the present law, and \$5,578,106.24, or 54.76 per cent, can be attributed to increases in the controllable expenditures of the State government. The total budget increase represents the smallest percentage of increase for any period since the Budget Law was enacted. Moreover, this budget has been so prepared and such full consideration given to all of the departments, institutions and divisions of the State service that it is felt that the actual expenditures of the next biennium can be held closer to the total of the budget, as recommended, than for any other period. The amount of the increase in money in the proposed expenditures for the ensuing biennium is far less than the average for the past 14 years.

PERMANENT IMPROVEMENT PROGRAM.

In considering the permanent improvement program, the ten-year building program presented in the budget for the eighty-first and eighty-second fiscal years was carefully reviewed. Adjustments and amendments thereto were made after discussing every request with the head of the institution or department concerned and after consultation with the State Architect and members of his staff. As a result of these hearings and conferences, a satisfactory understanding has been reached with those charged with the administration of the various services of the State.

With this procedure we were able to reduce materially the amounts which were originally estimated as being necessary in the next biennium to carry on the services of the State. The splendid cooperation of the State administrators in recognizing the fact that the rate of increase in income of the State has been temporarily reduced, due to the economic depression, and their sincere endeavor to assist in meeting these conditions has been gratifying indeed.

PER CAPITA COST OF STATE GOVERNMENT REDUCED.

Translated into per capita figures, we find that the total estimated and recommended expenditures in the budget for the eighty-third and eighty-fourth fiscal years amount to \$43.48 per capita. This is \$1.47 lower than the actual and estimated expenditures for the present biennium and is \$7.40 lower than would have been the case had the same trend of increasing per capita cost of State government been continued in the next biennium. It appears that the increase in the cost of State government, which has been continuous since the World War, has been arrested and that the curve of mounting cost can be flattened out, and with careful financial administration, it possibly can be turned the other way into a decreasing per capita cost. It is appreciated that the per capita figure of \$44.95 for the eighty-first and eighty-second fiscal years represents actual and estimated expenditures and that the reduction shown for this budget is based solely on estimates and recommendations. Per capita expenditures undoubtedly will be increased somewhat by special appropriations. However, it should be made clear that special appropriations will result in continuing the increasing per capita cost unless such appropriations are held to the very minimum. In view of the falling off of the increase in the State's revenue and the decreased ability of the taxpayer to pay taxes, it does not appear to be wise to continue the upward trend in per capita expenditures of the State government.

STATE REVENUES SPENT BY LOCAL GOVERNMENT.

Frequently an erroneous impression is held concerning the cost of State Government. The cost of operating the State and providing its many services is, in effect, overstated. This is due to the fact that a large part of the funds included in the State budget and derived from State revenues represents merely agency transactions by the State for some local government. Of the total budget of \$265,345,955.38, for the ensuing biennium, \$102,778,620.68, or 38.7 per cent, represents such items. Of necessity, since State revenues are being disbursed, the budget must include funds which the State does not actually expend, but which are apportioned under provisions of the law to the counties and local political subdivisions. These items, generally set aside by law, include the funds apportioned to the counties out of the gasoline tax and other sources of highway revenue, the apportionment for schools, including elementary schools, high schools and junior colleges, apportionment for tuberculosis subsidies, flood control, orphan aid, aid to the aged and the blind, and other minor items. These agency transaction items have been materially increased within recent years. The last Legislature, acting under the provisions of a constitutional amendment, provided for aid to the aged and the blind.

In order to make clear the relative amounts of such agency transactions, a table comparing such expenditures with those for State government operations is given

below. A complete analysis appears on the "Detailed Summary of Expenditures" in the body of the budget.

There will be distributed to the counties, to be disbursed by them, 71 per cent of the educational budget. Approximately two-sevenths of the total highway budget will be distributed to the counties for expenditure as the supervisors direct. Although the increase in the State funds apportioned to counties for agency transactions amounted to approximately \$10,000,000 more in the eight-first and eighty-second years than in the seventy-ninth and eightieth years, and the eighty-third and eighty-fourth fiscal years show substantially the same amount, there has been no real reduction in local taxation. In other words, State taxes have been increased materially through this obligation to apportion money to local government, but, nevertheless, local government, except in a few instances, has failed to show material tax reductions.

TABLE SHOWING COMPARISON OF EXPENDITURES FOR STATE GOVERNMENT ACTIVITIES WITH AMOUNT OF SUBVENTIONS TO COUNTIES AND OTHER AGENCIES.

81st and 82nd fiscal years	Total budget	Expenditures for State government operations	Per cent of total	Subvention to counties and other agencies	Per cent of total
General budget-----	\$63,842,095 07	\$54,009,071 37	84.60	\$9,833,023 70	15.40
Educational budget----	80,206,130 11	23,094,739 56	28.80	57,111,390 55	71.20
Highway budget-----	111,111,609 10	79,531,546 71	71.58	31,580,062 39	28.42
Totals-----	\$255,159,834 28	\$156,635,357 64	61.39	\$98,524,476 64	38.61
83rd and 84th fiscal years					
General budget-----	\$68,523,622 54	\$58,641,622 54	85.58	\$9,882,000 00	14.42
Educational budget----	86,439,322 84	25,065,202 16	29.00	61,374,120 68	71.00
Highway budget-----	110,383,010 00	78,860,510 00	71.44	31,522,500 00	28.56
Totals-----	\$265,345,955 38	\$162,567,334 70	61.27	\$102,778,620 68	38.73

THE GENERAL FUND SURPLUS.

With the falling off in the rate of increase in State revenues the condition of the general fund surplus becomes of increasing importance. A careful study has been made to determine the exact condition of this general fund surplus at the beginning of the biennium, June 30, 1931. Making use of all the data which it was possible to secure from official and private sources, and checking probable revenues from each source independently, it has been estimated that there will be at the beginning of the biennium, a surplus of \$30,165,340.55 in the general fund. It should be understood that this surplus does not represent actual cash now in the treasury, but is a surplus consisting of cash on hand and the difference between obligations and revenues which will accrue as of June 30, 1931. These estimates have been checked by the State Controller and he arrives at a figure approximately \$1,000,000 less.

REDUCTION IN GENERAL FUND SURPLUS AND ESTIMATED CONDITION AT JUNE 30, 1933.

With the general fund surplus as of June 30, 1931, estimated at \$30,165,340.55, the State is faced with a condition of an exceptional nature in the matter of finances. The revenues of the State are not showing the continued rate of increase which has been experienced in the past. In fact, the average rate of increase in State revenues flowing into the general fund during the history of the executive budget, has been 10.87 per cent per biennium, while it is estimated that the revenues for the next biennium accruing to the general fund will show only a 3.06 per cent increase. This is due to the falling off in business which directly affects the revenue of the State; for these revenues are derived in the major amounts from gross receipts tax on public service corporations, gross premium tax on insurance companies, franchise tax on general corporations measured by net income, and an inheritance tax levied on the estates of decedents.

In addition to the decreases due to falling off in business, the people of the State of California saw fit to reduce the gross receipts tax on electric street railways from 5½ per cent to 4½ per cent. It is estimated that this reduction will cause a decrease of \$1,100,000 in the revenues for the next biennium. Major reductions in the rate charged consumers for gas in the Los Angeles area, as made by the Railroad Commission, will likewise cause a material decrease in the gross income, and at the same time decrease the tax from this source approximately \$300,000 for the biennium. In short, in place of enjoying a normal increase of approximately 11 per cent in revenues, the State will probably not secure more than a 3 per cent increase.

It is estimated that the total revenues accruing to the general fund for the ensuing biennium will be \$136,369,673, while the estimated and proposed expenditures for the same period, as contemplated in the budget, will total \$144,809,754.96. The proposed budget of expenditures for the next biennium therefore, is \$8,440,081.96 more than the amount of the estimated revenues which will accrue to the general fund under existing statutes. A sincere endeavor has been made to hold the increase

of the budget to the lowest possible amount consistent with a continuation of the service of government which the people are accustomed to receive, and to provide normal increases in these services and in salaries of State employees. Likewise, necessary permanent improvements needed to take care of normal expansion and to keep the service of the State on a progressive plane have been recommended.

If revenues had increased at a normal rate, undoubtedly the expenditures, as recommended in the budget, could have been kept well within the estimated revenue. Due to unusual conditions this was not possible and it appears, therefore, necessary to make use of approximately \$8,450,000 from the surplus. Under these conditions the general fund surplus at the close of the next biennium, June 30, 1933, will be reduced by this amount.

It appears that the only justification for building up a surplus in the State treasury over and beyond what is necessary to finance the State adequately during lean periods between tax collections, and to provide for emergencies, is for the purpose of taking care of such unusual conditions as now exist. The general fund surplus in the treasury may well be considered in the nature of a surge chamber regulating the flow of revenue to take care of the services of the State. In time of prosperity the level of this fund is raised. In time of economic stringency it is drawn upon to take care of the normal needs of the State. The State, like a wise business man, should take steps to conserve its resources in the time of prosperity so that funds will be available in the time of reduced prosperity to carry over the lean period.

In making the budget this thought has been kept in mind, and not only has the necessity of operating the State for two years, or the ensuing biennium, been considered; but, likewise, the necessity of operating the State for a four-year period has been before us. There is ample evidence to indicate that not only can the State be operated, giving the same services and allowing for normal expansion, for the next two years, but this can be extended to four years without depleting the surplus to a danger point. This prediction is made possible through a careful analysis of economic conditions at present and estimating future growth. It is believed that the citizens of California can be optimistic and that economic recovery is not far distant. With this economic recovery, the flow of revenues into the State treasury will again become normal and the surplus can be replenished so that it will be in readiness again to take care of expenses of the State at a time when revenues may suffer the condition of today and show less than normal rates of increase.

So that there may be available a clear understanding of the sources of revenue to the State treasury, a simple chart indicating these sources is shown among the tables immediately following the text of this message.

In preparing this budget the economic condition of the people of the State, particularly as it is reflected in the decrease in commodity prices which farmers and merchants receive for their goods, and the unusual amount of unemployment, have been considered. An endeavor has been made to provide for capital outlay expenditures for necessary and desirable public improvements such as highways, buildings at our institutions, at our State university, and teachers colleges, and in other departments of the State, as a means of helping to relieve unemployment, increase markets for our goods, and to promote general prosperity. With this in view, a capital outlay program has been continued, which, from the general fund alone, requires an amount almost equal to the amount of the surplus which must be used for the next biennium. It might have been possible to materially curtail this capital outlay program, but this would have been not only a backward step in taking care of the State's services, but it would have done nothing to relieve unemployment, and in fact would probably have increased it. The opposite course has been taken, and not only has the program of capital outlay been provided for with this purpose in view, but I am recommending to you that you see fit to make the money available for capital outlay as soon as possible, so that the construction can be put under way without delay and actual relief for unemployment can be instituted immediately.

COMPARATIVE TABLES OF EXPENDITURES

The administrative budget came into being as a result of the adoption of a constitutional amendment by vote of the people in 1922. The entire experience of the State of California under the administrative budget system only covers a span of seven years. It seems well to set forth in similar form comparisons covering the entire experience under the budget system and add to these the sums recommended in this budget. Such figures segregated into sections in accordance with the plan of the budget are presented among the tables following this message. In the same group, there is presented a graph which further visualizes the trend of State expenditures from the special and general funds, as compared with the trends of recessions and of population growth. A study of these tables and the charts amplifying them will reveal that the upward trend in the cost of State government has been arrested, and the actual increases in the budget for the eighty-third and eighty-fourth fiscal years over prior fiscal years are very much smaller than have been experienced since the budget bill was enacted. In the general budget the ratio of the increase has been reduced from 16.94 per cent in 1925-1927 to 7.22 per cent for 1931-1933. The total budget ratio of increase has been reduced from 23.30 per cent in 1925-1927 to 3.98 per cent for 1931-1933. These reductions have been made possible through

a most careful consideration of all proposed expenditures and yet there have been included many items in this budget which will not recur in the next biennium. It is appreciated that special appropriation bills passed by the Legislature may increase these percentages, but it is believed that the normal increase in the services of the State have been taken care of in the budget as recommended.

Your attention is directed to the increasing per capita expenditures chargeable to the general fund in all sections of the budget for each biennium from the seventy-fifth and seventy-sixth fiscal years to the eighty-first and eighty-second, as shown in the comparative statement of expenditures from the general fund. This increase in per capita expenditures continues through the eighty-third and eighty-fourth fiscal years in the educational budget. However, it should be noted that the increase is at a much reduced rate for the biennium of this budget, being reduced to 13 cents per capita for these two years. In the case of the highway budget a per capita increase is shown for the seventy-seventh and seventy-eighth fiscal years over the previous biennium. Subsequently, a continuous decrease in the per capita expenditure has been shown, the smallest per capita expenditure of \$1.44 being for the biennium of this budget. Considering the per capita expenditures for the total budget, the increase was continuous to and including the eighty-first and eighty-second fiscal years, increasing from \$19.52 in the seventy-fifth and seventy-sixth years to \$23.80 in the eighty-first and eighty-second. The per capita expenditure for the total general fund budget for the eighty-third and eighty-fourth fiscal years is estimated at \$23.73. Had the same rate of increase prevailed as was experienced from the seventy-fifth and seventy-sixth fiscal years to the eighty-first and eighty-second, the per capita expenditure for the eighty-third and eighty-fourth would have been \$25.23, or \$1.50 more for each person in the State than under this budget.

The next table presents a comparative statement of the total biennial expenditures from all funds showing the total expenditures per capita for the ten-year period, July 1, 1923, to June 30, 1933. This table is divided into the three sections of the budget with grand totals. The general budget shows a continuous increase from the seventy-fifth and seventy-sixth fiscal years to the eighty-first and eighty-second, increasing from \$8.41 to \$11.25 per capita during this period. For the eighty-third and eighty-fourth fiscal years the per capita expenditure for the general budget is estimated at \$11.23, thus showing a slight decrease. The educational budget, on the other hand, shows a continuous increase for the entire period from \$11.62 per capita for the seventy-fifth and seventy-sixth fiscal years to \$14.16 for the eighty-third and eighty-fourth. The increase, however, for the ensuing biennium, or that of this budget, was only 3 cents. The highway budget shows a continuous increase from \$10.22 per capita for the seventy-fifth and seventy-sixth fiscal years to \$19.57 for the eighty-first and eighty-second, and for the eighty-third and eighty-fourth a very material reduction to \$18.09 is predicted. Summing this up in a total budget which shows actual expenditures for the seventy-fifth and seventy-sixth to the seventy-ninth and eightieth, inclusive, and estimated and actual for the eighty-first and eighty-second, and the budget estimates and recommendations for the eighty-third and eighty-fourth, the per capita expenditures experienced a continuous increase from \$30.26 for the seventy-fifth and seventy-sixth fiscal years to \$44.95 for the eighty-first and eighty-second. However, the per capita expenditures based upon the budget recommendations for the eighty-third and eighty-fourth are estimated at \$43.48, a decrease of \$1.47 per capita. This is a very favorable sign, and if this budget can be maintained without any material increase due to enactment of special appropriation measures, governmental operations of the State of California, in so far as the State government is concerned, will experience their first reduction in per capita costs in the decade; the upward trend of State government costs will have been arrested, and it is hoped that relief from the increasing burden of taxation actually can be secured. The real meaning of this decrease can best be realized by considering that if a rate of increase had prevailed for the eighty-third and eighty-fourth fiscal years equal to the average rate experienced in the four preceding bienniums, the per capita expenditures would have been \$50.88, or an increase of \$5.93. If the example of reducing the cost of government set up by the State in this budget will be emulated by the counties and cities and other political subdivisions of California, the taxpayers will enjoy real relief and much will be done to promote contentment and business prosperity.

The two tables mentioned above, with accompanying charts, immediately follow the text of this message and present comparisons of the per capita expenditures from the general fund and from all funds for the ten-year period, July 1, 1923, to June 30, 1933.

APPROPRIATIONS FOR PERMANENT IMPROVEMENTS.

As previously indicated the proposed appropriations for permanent improvements necessary to take care of the normal expansion of the State services and to relieve congested conditions in our institutions, teachers colleges, State university, and other divisions, have been recommended. The total amount allowed from the general fund for permanent improvements is \$7,706,455. This amount should be adequate to take care of all normal expansion, and also to do much toward relieving crowded conditions as well as providing for other desirable expansion in many places. In

the tabulation on page XX a comparative statement is given showing the actual and proposed appropriations from the general fund for permanent improvements from the seventy-fifth to the eighty-fourth fiscal years, inclusive, or from July 1, 1923, to June 30, 1933. It should be noted that the amounts of this capital outlay program payable from the general fund are approximately equal to the amount by which the general fund expenditures will exceed the estimated revenues, and by which the general fund surplus will be reduced to meet this budget. Rather than curtail the State's capital outlay and hold the budget within estimated revenues, it has been determined not only to make recommendations for these capital outlays, but also to recommend that these be made available at the earliest possible moment for the dual purpose of: first, relieving the congestion and meeting the present requirements for housing facilities at the various institutions and schools; and secondly, to provide through this building program a large measure of relief for unemployment. We have already made inquiry and adequate plans with the Division of Architecture of the Department of Public Works for the scheduling of these capital outlay projects so that there may be no stopping of the public works program of the State and thereby adding to the problem of unemployment. It is believed that this plan will meet with general approval and that you will facilitate appropriations for this purpose.

In addition to the capital outlay for permanent improvements from the general fund, there is also a considerable amount of capital outlay which will be paid from special funds, the total of which, exclusive of highway construction amounting to \$47,500,000, is \$1,174,620. The program of expenditures from these funds will also be expedited where practicable.

In considering capital outlay for permanent improvements a sincere endeavor has been made to fit recommended improvements into the ten-year building program as set up in the budget for the eighty-first and eighty-second fiscal years. It has been found, however, in many instances that this building program was not based on complete information. Material modifications had to be made which clearly demonstrate that further study and extension of the long-time building program is desirable. A further survey of the present physical plants, and determination of ultimate size of the institutions and schools concerned should be undertaken. Allowance should be made for future growth in the present institutions, and the desirability and effect of the establishment of new institutions to meet growing needs should be considered. Such a study for proper revision of the long-time building program will be made during the coming biennium. For this reason the section in the last budget presenting a ten-year building program has not been repeated in this budget. It is manifestly impossible to present in this budget a building program which would represent the well considered thought of this administration.

SUMMARY OF ALL EXPENDITURES.

A tabulation summarizing all the expenditures for every purpose for each biennium of the last ten years is presented. Actual expenditures are given for each biennium from the seventy-fifth to the eightieth fiscal years, inclusive, the actual and estimated for the eighty-first and eighty-second, and the estimated and recommended expenditures for the eighty-third and eighty-fourth.

CONCLUSION.

I have stated in several places elsewhere in this message that the budget presented for your consideration has been prepared with due regard to the reduced ability of the State to support the services of government, which condition has been brought about by the decreasing rate of increase in revenues occasioned by the world-wide economic depression. At the same time I have emphasized that the recommended budget amounts have been determined with the idea of continuing the normal service of the State efficiently and reasonably, allowing for normal expansion of service and normal increases in salaries, and, as likewise provided, for essential permanent improvements necessary to meet expansion and take care of our physical needs. Moreover, in preparing this budget, we have not been unmindful of the fact that there is a condition of unemployment, and that anything that can be done which is economically sound to help relieve this unemployment, and at the same time provide for the normal needs of the State, should be done. This budget has not been made with the sole purpose of holding the budget to a predetermined amount under the guise of economy. It is a budget which demonstrates in its reduced rate of increase in expenditures that an economic business plan of government is proposed without being niggardly or unconscious of the fact that the service of the State government must increase to meet increasing demands. Under this budget the State may enjoy progressive, efficient, businesslike, and humanitarian administration of its affairs.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

January 9, 1931.

COMPARATIVE STATEMENT OF TOTAL BIENNIAL EXPENDITURES—ALL FUNDS.
Showing Biennial Expenditures Per Capita of State Population for the Ten-Year Period, July 1, 1923, to June 30, 1933

GENERAL BUDGET

Fiscal years of biennium	Date limits of biennium	Total expenditures for biennium	Percentage of biennial increase	Population of state (middle of biennium)	Total biennial expenditures per capita
75th and 76th.....	1923-1925	\$39,338,710 64	-----	4,675,000	\$8 41
77th and 78th.....	1925-1927	46,002,964 89	16 941	4,955,000	9 28
79th and 80th.....	1927-1929	54,618,277 64	18 728	5,388,000	10 14
81st and 82d.....	1929-1931	63,842,095 07	16 888	5,677,000	11 25
83d and 84th.....	1931-1933	68,523,622 54	7 333	6,103,000	11 23

EDUCATIONAL BUDGET

Fiscal years of biennium	Date limits of biennium	Total expenditures for biennium	Percentage of biennial increase	Population of state (middle of biennium)	Total biennial expenditures per capita
75th and 76th.....	1923-1925	\$54,332,242 80	-----	4,675,000	\$11 62
77th and 78th.....	1925-1927	63,519,574 89	16 910	4,955,000	12 82
79th and 80th.....	1927-1929	72,461,292 37	14 077	5,388,000	13 45
81st and 82d.....	1929-1931	80,206,130 11	10 688	5,677,000	14 13
83d and 84th.....	1931-1933	86,439,322 84	7 771	6,103,000	14 16

HIGHWAY BUDGET

Fiscal years of biennium	Date limits of biennium	Total expenditures for biennium	Percentage of biennial increase	Population of state (middle of biennium)	Total biennial expenditures per capita
75th and 76th.....	1923-1925	\$47,797,851 68	-----	4,675,000	\$10 22
77th and 78th.....	1925-1927	64,902,504 61	35 785	4,955,000	13 10
79th and 80th.....	1927-1929	83,453,908 43	28 583	5,388,000	15 49
81st and 82d.....	1929-1931	111,111,609 10	33 141	5,677,000	19 57
83d and 84th.....	1931-1933	110,383,010 00	(656)*	6,103,000	18 09

TOTAL BUDGET

Fiscal years of biennium	Date limits of biennium	Total expenditures for biennium	Percentage of biennial increase	Population of state (middle of biennium)	Total biennial expenditures per capita
75th and 76th.....	1923-1925	\$141,468,805 12	-----	4,675,000	\$30 26
77th and 78th.....	1925-1927	174,425,044 39	23 296	4,955,000	35 20
79th and 80th.....	1927-1929	210,533,478 44	20 701	5,388,000	39 07
81st and 82d.....	1929-1931	255,159,834 28	21 197	5,677,000	44 95
83d and 84th.....	1931-1933	265,345,955 38	3 992	6,103,000	43 48

*Decrease

COMPARATIVE STATEMENT OF TOTAL BIENNIAL EXPENDITURES
FROM THE GENERAL FUND.

Showing Biennial Expenditures Per Capita of State Population for the Ten-Year Period, July 1, 1923, to June 30, 1933

GENERAL BUDGET

Fiscal years of biennium	Date limits of biennium	General fund expenditures for biennium	Percentage of biennial increase	Population of state (middle of biennium)	Biennial general fund expenditures per capita
75th and 76th.....	1923-1925	\$31,215,646 98		4,675,000	\$6 68
77th and 78th.....	1925-1927	35,772,832 41	14 599	4,955,000	7 22
79th and 80th.....	1927-1929	40,517,796 33	13 264	5,388,000	7 52
81st and 82d.....	1929-1931	48,541,170 03	19 802	5,677,000	8 55
83d and 84th.....	1931-1933	51,923,322 46	6 968	6,103,000	8 51

EDUCATIONAL BUDGET

Fiscal years of biennium	Date limits of biennium	General fund expenditures for biennium	Percentage of biennial increase	Population of state (middle of biennium)	Biennial general fund expenditures per capita
75th and 76th.....	1923-1925	\$52,005,158 96		4,675,000	\$11 12
77th and 78th.....	1925-1927	61,306,116 75	17 885	4,955,000	12 37
79th and 80th.....	1927-1929	69,626,962 83	13 573	5,388,000	12 92
81st and 82d.....	1929-1931	77,465,731 73	11 258	5,677,000	13 65
83d and 84th.....	1931-1933	84,106,682 50	8 573	6,103,000	13 78

HIGHWAY BUDGET

Fiscal years of biennium	Date limits of biennium	General fund expenditures for biennium	Percentage of biennial increase	Population of state (middle of biennium)	Biennial general fund expenditures per capita
75th and 76th.....	1923-1925	\$8,064,365 00		4,675,000	\$1 72
77th and 78th.....	1925-1927	9,970,635 00	23 638	4,955,000	2 01
79th and 80th.....	1927-1929	9,915,138 56	(569)*	5,388,000	1 84
81st and 82d.....	1929-1931	9,110,425 00	(8 116)*	5,677,000	1 60
83d and 84th.....	1931-1933	8,779,750 00	(3 630)*	6,103,000	1 44

TOTAL BUDGET

Fiscal years of biennium	Date limits of biennium	General fund expenditures for biennium	Percentage of biennial increase	Population of state (middle of biennium)	Biennial general fund expenditures per capita
75th and 76th.....	1923-1925	\$91,285,170 94		4,675,000	\$19 52
77th and 78th.....	1925-1927	107,049,584 16	17 269	4,955,000	21 60
79th and 80th.....	1927-1929	120,059,897 72	12 154	5,388,000	22 28
81st and 82d.....	1929-1931	135,117,326 76	12 542	5,677,000	23 80
83d and 84th.....	1931-1933	144,809,754 96	7 173	6,103,000	23 73

*Decrease

COMPARATIVE STATEMENT

Showing Actual and Proposed Appropriations from the General Fund for Permanent Improvements,
75th to 84th Fiscal Years, Inclusive, July 1, 1923, to June 30, 1933

	Appropriated, 75th-76th fiscal years, 1923-1925	Appropriated, 77th-78th fiscal years, 1925-1927	Appropriated, 79th-80th fiscal years, 1927-1929	Appropriated, 81st-82d fiscal years, 1929-1931	Proposed expenditures 83d-84th fiscal years, 1931-1933
Agriculture:					
Bureau of Quarantine and Pest Control				\$9,500 00	
Finance:					
Division of Printing	\$86,800 00				
Miscellaneous state buildings	209,900 00	\$329,500 00			
California Building, Balboa Park	10,000 00				
Division of Exhibits:					
State Agricultural Society		260,900 00	\$208,500 00	224,250 00	\$217,500 00
Sixth District Agricultural Association		47,000 00	7,500 00	11,900 00	22,000 00
Napa State Farm					75,000 00
Totals	\$306,700 00	\$637,400 00	\$216,000 00	\$236,150 00	\$314,500 00
Institutions:					
Agnews State Hospital	\$7,000 00	\$311,050 00	\$164,500 00	\$476,000 00	\$506,500 00
Mendocino State Hospital	59,900 00	360,200 00	341,000 00	385,000 00	345,000 00
Napa State Hospital	55,460 00	54,000 00	203,000 00	60,000 00	155,000 00
Norwalk State Hospital		468,975 00	367,500 00	37,500 00	181,000 00
Patton State Hospital	98,000 00	235,500 00	298,000 00	220,000 00	210,000 00
Stockton State Hospital	177,200 00	219,050 00	370,500 00	223,000 00	182,000 00
New Hospital for Insane				1,000,000 00	455,600 00
Pacific Colony		410,167 00	248,500 00	300,000 00	277,000 00
Sonoma State Home	109,500 00	110,500 00	220,000 00	256,500 00	219,120 00
State Narcotic Hospital				105,000 00	87,500 00
Preston School of Industry	19,000 00	227,000 00	250,000 00	155,000 00	144,000 00
Ventura School for Girls	300 00	15,400 00	34,000 00	10,900 00	41,200 00
Whittier State School	30,000 00	51,025 00	205,000 00	252,760 00	103,000 00
Industrial Home for Adult Blind	10,000 00	4,150 00	16,000 00	64,235 00	20,000 00
Totals	\$566,360 00	\$2,467,017 00	\$2,718,000 00	\$3,545,895 00	\$2,926,920 00
Military and Veterans' Affairs:					
Division of Military Affairs		\$321,500 00	\$17,708 00	\$302,000 00	\$292,500 00
Division of Veterans' Homes:					
Veterans' Home of California	\$36,000 00		80,000 00		311,000 00
Woman's Relief Corps Home	6,500 00		7,000 00	2,500 00	2,500 00
Totals	\$42,500 00	\$321,500 00	\$104,708 00	\$304,500 00	\$606,000 00
Natural Resources:					
Division of Parks	\$8,000 00		\$55,500 00	\$59,778 00	\$68,735 00
Penology:					
State Prison at Folsom	\$23,000 00	\$32,500 00	\$284,500 00	\$280,000 00	\$240,000 00
State Prison at San Quentin	15,000 00	407,000 00	350,000 00	434,000 00	665,000 00
California Institution for Women				475,000 00	66,800 00
Totals	\$38,000 00	\$439,500 00	\$634,500 00	\$1,189,000 00	\$971,800 00
Education:					
Chico State Teachers College	\$35,000 00	\$40,000 00	\$108,682 60	\$239,768 42	\$132,000 00
Fresno State Teachers College	15,000 00	103,000 00	230,000 00	80,450 00	265,000 00
Humboldt State Teachers College	1,275 00	25,980 00	63,000 00	126,000 00	131,000 00
San Diego State Teachers College	31,000 00	77,500 00	45,000 00	490,000 00	242,000 00
San Francisco State Teachers College	190,000 00	305,000 00	215,000 00	38,000 00	134,000 00
San Jose State Teachers College	13,500 00	152,500 00	150,000 00	249,232 00	261,000 00
Santa Barbara State Teachers College	15,000 00	187,500 00	195,000 00	184,000 00	88,000 00
California Polytechnic School		61,550 00	137,975 00	140,000 00	50,000 00
California School for the Blind				82,200 00	10,000 00
California School for the Deaf	194,550 00	120,000 00	97,000 00	323,000 00	254,500 00
University of California	140,000 00	680,887 42	504,400 00	1,001,000 00	1,251,000 00
Totals	\$635,325 00	\$1,753,917 42	\$1,746,057 60	\$2,953,650 42	\$2,818,500 00
Grand totals	\$1,596,885 00	\$5,619,334 42	\$5,474,765 60	\$8,298,473 42	\$7,706,455 00

January 9, 1931.

*Honorable James Rolph, Jr.,
Governor of California,
Sacramento, California.*

YOUR EXCELLENCY: Herewith is submitted the State Budget for the eighty-third and eighty-fourth fiscal years commencing July 1, 1931, and ending June 30, 1933. This budget includes a careful estimate of revenues and a detailed plan of recommended expenditures for the biennium. The budget has been prepared at your direction under authority of section 34 of article IV of the State constitution.

The completeness and thoroughness of this budget has been made possible through the preliminary work done by the retiring Director of Finance, Lyman M. King, under instructions from Governor C. C. Young, and the splendid cooperation given us by the various officers of the State and in particular the devotion and industry of the staff of the Department of Finance.

Respectfully submitted.

ROLLAND A VANDEGRIFT.

Director of Finance and Chief of the Division of Budgets and Accounts.

PROPOSED AMENDMENTS TO THE SENATE RULES.

Senator Breed gave notice that on the next legislative day he would move that the temporary rules of the Senate be adopted as the standing rules of the Senate with the following amendments:

AMENDMENT NUMBER ONE.

Amend Rule No. 17 as follows: In section 2, line 1, thereof, strike out the words "copying and work," and insert in lieu thereof the words "printing and clerical work."

AMENDMENT NUMBER TWO.

Amend Rule No. 22 by adding a new paragraph to read as follows:
Constitutional amendments, when introduced, shall be referred to the Committee on Constitutional Amendments, and when reported back by the committee, shall, with its recommendations, be re-referred to the standing committee considering the subject dealt with in such constitutional amendments.

AMENDMENT NUMBER THREE.

Rule No. 69 of the Senate is hereby amended to read as follows:

Regulations for Lobbyists.

69. 1. All persons appearing, or being, or desiring to appear, or be, at or in the Senate Chamber, or at or in any committee room of the Senate for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Senate, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Senate upon any such bill, measure, or resolution or upon any anticipated or proposed bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them shall be kept and preserved by the Sergeant at-Arms, and shall be open at all times to public inspection.

No person shall appear at or enter the Senate Chamber, or any committee room of the Senate, for the purpose of advocating the adoption or defeat of any bill, measure, or resolution, without first having registered and secured the certificate, as herein provided.

2. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

AMENDMENT NUMBER FOUR.

Rule No. 8 is hereby amended to read as follows:

List of Standing Committees.

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Live Stock, thirteen members.
2. Banking, nine members.

3. Building and Loan, eleven members.
4. Commerce and Navigation, nine members.
5. Conservation, seven members.
6. Constitutional Amendments, nine members.
7. Contingent Expenses, three members.
8. County Government, nine members.
9. Drainage, Swamp and Overflowed Lands, five members.
10. Education, thirteen members.
11. Elections, eleven members.
12. Engrossment, Enrollment and Printing, five members.
13. Federal Relations, five members.
14. Finance, seventeen members.
15. Fish and Game, fifteen members.
16. Governmental Efficiency, eleven members.
17. Hospitals and Asylums, five members.
18. Insurance, eleven members.
19. Irrigation, seven members.
20. Judiciary, sixteen members.
21. Labor and Capital, nine members.
22. Military Affairs, eleven members.
23. Mines and Mining, five members.
24. Motor Vehicles, fifteen members.
25. Municipal Corporations, nine members.
26. Oil Industries, seven members.
27. Prisons and Reformatories, seven members.
28. Public Charities, five members.
29. Public Health and Quarantine, seven members.
30. Public Morals, five members.
31. Public Utilities, eleven members.
32. Reapportionment, fifteen members.
33. Revenue and Taxation, thirteen members.
34. Revision of Criminal Law and Procedure, nine members.
35. Roads and Highways, fifteen members.
36. Rules, five members.
37. Universities and Teachers Colleges, nine members.

AMENDMENT NUMBER FIVE.

Amend all rules wherein the term "Committee on Engrossment and Enrollment" appears by striking out the word "and" between the words "Engrossment" and "Enrollment" substituting a comma therefor, and adding the words "and Printing" after the word "Enrollment."

AMENDMENT NUMBER SIX.

Amend the rules by striking out the words "Revision and Printing" wherever the same may occur as the name of a committee, and insert in lieu thereof, "Engrossment, Enrollment and Printing."

AMENDMENT NUMBER SEVEN.

Rule No. 31 is hereby amended to read as follows:

When amendments to a bill are reported by a committee, offered from the floor or submitted by a Special Committee of One, such amendments shall be submitted in triplicate, two copies to go to the Secretary of the Senate and one to the Minute Clerk.

AMENDMENT NUMBER EIGHT.

Amend Rule No. 15 by striking out therefrom the following words: "Referred to and reported on," and insert in lieu thereof the word "considered."

PROPOSED STANDING RULES OF THE SENATE.

CONVENING AND ORDER OF BUSINESS.

Hour of Meeting.

1. The sessions of the Senate shall be daily (Sundays excepted) beginning at 11 o'clock a.m. Commencing on the second day after the constitutional recess, a recess shall be taken daily at the hour of one o'clock p.m. until the hour of two o'clock p.m., unless otherwise ordered by a vote of the Senate.

Calling to Order.

2. The President, President pro tempore, or senior member present, shall call the Senate to order at the hour stated, and if a quorum be present proceed with the order of business.

Order of Business.

3. The order of business:

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and Approval of the Journal of the Preceding Day.
4. Presentation of Petitions.

5. Messages from the Governor.
6. Messages from the Assembly.
7. Reports of Standing Committees.
8. Reports of Select Committees.
9. Motions, Resolutions and Notices.
10. Introduction, First Reading, and Reference of Bills.
11. Consideration of Daily File.
12. Unfinished Business.
13. Special Orders of the Day.
14. Announcement of Committee Meetings.
15. Adjournment.

PRESIDING OFFICER OF THE SENATE.

The President.

4. The rooms, passages, and buildings set apart for the use of the Senate shall be under the control and direction of the President of the Senate, and he shall have the control and direction of the journals, papers, and bills of the Senate. The President shall preside over the sessions of the Senate. He shall see that all officers of the Senate perform their respective duties, and may assign places to properly accredited newspaper representatives.

The President Pro Tempore.

5. The President pro tempore shall, in the absence of the President, take the chair and call the Senate to order at the hour of the meetings of the Senate, and have the same power as the President; but the President pro tempore shall vote only as any other member of the Senate.

Presiding by Senators.

6. The President or President pro tempore, in the absence of the President, shall have the right to name any Senator to perform the duties of the chair, who shall be vested, during such time, with all the powers of the President; but such substitute shall not lose the right of voting on any question while so presiding.

COMMITTEES OF THE SENATE.

Appointment of Committees.

7. All standing committees of the Senate shall be named by the President of the Senate unless otherwise ordered, and the first named shall be the chairman thereof. All other committees shall be appointed in such manner as the Senate shall determine.

List of Standing Committees.

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Live Stock, thirteen members.
2. Banking, nine members.
3. Building and Loan, eleven members.
4. Commerce and Navigation, nine members.
5. Conservation, seven members.
6. Constitutional Amendments, nine members.
7. Contingent Expenses, three members.
8. County Government, nine members.
9. Drainage, Swamp and Overflowed Lands, five members.
10. Education, thirteen members.
11. Elections, eleven members.
12. Engrossment, Enrollment and Printing, five members.
13. Federal Relations, five members.
14. Finance, seventeen members.
15. Fish and Game, fifteen members.
16. Governmental Efficiency, eleven members.
17. Hospitals and Asylums, five members.
18. Insurance, eleven members.
19. Irrigation, seven members.
20. Judiciary, sixteen members.
21. Labor and Capital, nine members.
22. Military Affairs, eleven members.
23. Mines and Mining, five members.
24. Motor Vehicles, fifteen members.
25. Municipal Corporations, nine members.
26. Oil Industries, seven members.
27. Prisons and Reformatories, seven members.
28. Public Charities, five members.
29. Public Health and Quarantine, seven members.
30. Public Morals, five members.
31. Public Utilities, eleven members.
32. Reapportionment, fifteen members.
33. Revenue and Taxation, thirteen members.

34. Revision of Criminal Law and Procedure, nine members.
35. Roads and Highways, fifteen members.
36. Rules, five members.
37. Universities and Teachers Colleges, nine members.

Schedule of Committee Meetings.

9. The President shall be empowered to propose to the Senate such schedules for regular meetings of the standing committees as shall permit a full attendance of their members without conflict of committee engagements.

Quorum of Standing Committees.

10. Each standing committee shall determine (a) its own quorum, and (b) the number of votes necessary to take any action upon any bill, resolution, or other matter referred to it.

The vote by the number of ayes and noes on each bill reported back on all committee reports shall be noted in such reports and recorded in the Journal. When a committee report is signed out, the Journal shall note such fact.

No Committee Expenditures Permitted.

11. No member of any committee shall except by resolution of the Senate be permitted to incur any expense by visiting any part of the State on official business, except that the chairman of the Committee on Finance shall, during the constitutional recess, be permitted to visit State institutions for which appropriations are asked, and shall be allowed his actual expenses while on such business.

SPECIAL DUTIES OF CERTAIN COMMITTEES.

Committee on Engrossment, Enrollment and Printing.

12. All Senate bills, constitutional amendments and joint or concurrent resolutions shall be engrossed before final action is taken on them in the Senate. The indications of new matter, omissions, or amendments appearing upon the printed bill shall be omitted from the engrossed copy of the bill. All such bills, amendments, and resolutions, after being engrossed, in pursuance of the order of the Senate, shall be carefully examined and reported back by the Committee on Engrossment, Enrollment and Printing: the engrossed copy to be transmitted to the Assembly with proper endorsements, and the original retained by the Senate. It shall be in order for the Committee on Engrossment, Enrollment and Printing to report at any time.

Engrossing and Enrolling Bills.

13. All bills ordered engrossed shall be delivered by the Secretary of the Senate to the Committee on Engrossment, Enrollment, and Printing or to the clerk of that committee and a receipt in writing taken therefor, and all said bills shall be engrossed in the order of their receipt by that committee or its clerk. All Senate bills shall, after their final passage by, and receipt from the Assembly, be delivered by the Secretary of the Senate in the order of their receipt from the Assembly, to the Committee on Engrossment, Enrollment and Printing or its clerk and a receipt in writing taken therefor; and said bills shall be enrolled in the order of their receipt from the Secretary of the Senate.

Committee on Rules.

14. The Committee on Rules shall have the general duty of proposing or of presenting recommendations as to the Standing Rules of the Senate. The President pro tempore shall be the chairman of this committee, and the President shall be an ex officio nonvoting member. When executive communication of nominations shall be sent by the Governor to the Senate for their confirmation, the same shall be referred to the Committee on Rules, unless otherwise ordered by the Senate, which motion shall be determined without debate.

Committee on Contingent Expenses.

15. No claim shall be paid out of the contingent fund of the Senate unless the same shall have been considered by the Committee on Contingent Expenses.

Committee on Engrossment, Enrollment and Printing.

16. The Committee on Engrossment, Enrollment and Printing shall have general charge of matters connected with all printing done for the Senate. It shall have the specific duties prescribed for it in the Joint Rules of Senate and Assembly.

OTHER SENATE OFFICERS.

Secretary of the Senate.

17. 1. It shall be the duty of the Secretary of the Senate to attend every session, call the roll, read all bills, amendments, resolutions, and all papers ordered read by the Senate or the presiding officer.

2. To superintend all printing and clerical work to be done for the Senate. To have supervision over all attaches and employees of the Senate. To assign, reassign or transfer all attaches or employees to their respective duties. To certify to and transmit to the Assembly all bills, joint and concurrent resolutions, constitutional amendments and papers requiring the concurrence of the Assembly, immediately after their passage or adoption by the Senate.

3. To keep a correct Journal of the proceedings of the Senate.
4. To notify the Assembly of the action by the Senate on all matters originating in the Assembly, and requiring action on the part of the Senate.
5. To permit no papers or records belonging to the Senate to be taken out of its custody otherwise than in the regular course of business.

Custody of Bills and Papers.

18. The Secretary of the Senate shall not permit any records or papers to be taken from the desk, or out of his custody, by any person except a chairman of a committee; but he shall deliver any bill or paper to be printed to the Superintendent of State Printing, and all bills ordered engrossed or enrolled to the Committee on Engrossment, Enrollment and Printing and take receipts therefor.

Sergeant-at-Arms of the Senate.

19. A Sergeant-at-Arms shall be elected, to hold his office during the pleasure of the Senate, whose duty it shall be to attend the Senate during all of its sittings, to execute the commands of the Senate from time to time, together with all such process issued by authority thereof, as shall be directed to him by the President. The Sergeant-at-Arms is authorized to arrest for contempt all persons outside the bar, or in the gallery, found in loud conversation, or otherwise making a noise to the disturbance of the Senate. The actual expenses of the Sergeant-at-Arms for every arrest, for each day's custody and release, and the traveling expenses for himself and special messenger going and returning shall be paid out of the contingent fund, and no other fees shall be paid him beyond his per diem. It shall also be the duty of the Sergeant-at-Arms to keep the accounts for pay and mileage of Senators.

Distribution of Printed Matter.

20. The Sergeant-at-Arms shall place copies of all bills, joint and concurrent resolutions, constitutional amendments, and journals and histories, when printed, on the desks of Senators, at least one hour previous to the opening of session.

PREPARATION AND INTRODUCTION OF BILLS.

Introduction and First Reading.

21. Any Senator desiring to introduce a bill shall rise in his seat and address the President, and upon being recognized shall present the same. The title shall be announced by the Secretary, the bill shall be read the first time and thereupon referred by the President to a standing committee.

Joint and Concurrent Resolutions and Constitutional Amendments.

22. Joint and concurrent resolutions and constitutional amendments shall be treated the same as bills; *provided*, that they shall have but one reading, which reading shall occur after they have been reported by committee.

Constitutional amendments, when introduced, shall be referred to the Committee on Constitutional Amendments, and when reported back by the committee shall, with its recommendations, be re-referred to the standing committee considering the subject dealt with in such constitutional amendments.

Introduction of Bills by a Committee.

23. Any committee may introduce a bill germane to any subject within the proper consideration of such committee, whereupon the bill shall immediately be read the first time, ordered to print and placed upon the second-reading file.

Introduction of Bills After the Constitutional Recess.

24. The Committee on Rules shall constitute a standing committee on introduction of bills to serve after the constitutional recess. All motions for leave to introduce bills after the constitutional recess shall be sent to the desk in writing, under the order of "Introduction of Bills." The motion shall give the title of the bill and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

The committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought and generally as to the advisability of introducing the measure.

No bill shall be introduced without the consent of three-fourths of the members after report thereupon by the Committee on Introduction of Bills, nor shall more than two bills be introduced by any one member after the constitutional recess.

Joint and concurrent resolutions and constitutional amendments shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction, nor shall the number to be introduced by any one member be limited.

BILLS IN COMMITTEE.

Reference of Senate Bills.

25. At the time of introduction the President shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the Senate by a majority vote refer it to some other

committee. No debate shall be allowed on any motion to refer a bill or resolution to a committee.

Order of Reference.

26. When a resolution shall be offered, or a motion made to refer any subject and a different committee shall be proposed, the question shall be taken in the following order:

1. The Committee of the Whole Senate.
2. A Standing Committee.
3. A Select Committee.

Reference with Special Instructions.

27. No amendment shall be received for discussion at the third reading of any bill; but it shall at all times be in order, before the final passage of such bill, to move its reference to a select committee under special instructions to amend. Adoption of amendments to any bill by the Senate prior to third reading, other than by roll call, shall not preclude subsequent consideration in committee or on the third reading of the bill, of such amendments or any part thereof, by the Senate.

Reference of Assembly Bills.

28. When an Assembly bill has been received by the Senate, with a message announcing that it has passed the Assembly, such bill shall be read the first time and be referred by the President to a standing committee: *provided, however*, that when an Assembly bill is received, the text of which is stated by a member to be identical with that of a Senate bill which has already been considered and reported by a standing committee of the Senate, such Assembly bill shall be referred to the Committee on Engrossment, Enrollment and Printing for comparison, which committee shall report without delay whether or not such bill is identical with the Senate bill. If reported identical, such Assembly bill shall be substituted for the Senate bill, shall take its place on the second reading file and be considered as having received the same committee recommendation as the Senate bill; *provided*, that the fact that the bills are identical shall be entered in the Journal. Such Senate bill shall thereupon be placed upon the file of unfinished business.

Reference of Appropriation Bills.

29. All bills appropriating money from any fund shall be referred to the Committee on Finance before being read the second time. Concurrent resolutions for adjournment *sine die* shall in all cases whether originating in the Senate or coming from the Assembly be referred to the Committee on Finance.

Notice to Author of Bill.

30. The chairman or clerk of each committee of the Senate shall notify the author of any bill or resolution pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

Committee Amendments to Bills.

31. When amendments to a bill are reported by a committee, offered from the floor or submitted by a Special Committee of One, such amendments shall be submitted in triplicate, two copies to go to the Secretary of the Senate and one to the Minute Clerk.

Reports of Committees.

32. All committees shall act upon bills referred to them as soon as practicable, and when acted upon each bill shall be reported back to the Senate forthwith, and the chairman of each committee is charged with the observance of this rule; *provided*, that the Senate may at any time, by a majority vote, recall a bill from any committee.

ORDER OF CONSIDERING BILLS.

Order of Making Files.

33. When bills are reported from committees they shall be placed upon the General File, to be kept by the Secretary as follows: All bills when reported to the Senate by the committee shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Second-reading file and third-reading file, unless otherwise ordered by unanimous consent or by a two-thirds vote of the Senate. The bills upon third reading shall be considered in the order in which they appear upon the file, unless otherwise ordered by unanimous consent or by vote of majority of the members present; such vote to be taken by roll call; *provided*, that if a bill is passed on file for any reason, other than absence of the author by leave of the Senate, note of the fact shall be made in the General File, and when passed on file a second time, the bill shall be ordered at the foot of the file, and notice of the fact of the bill having been passed on file

prior to the order placing it at the foot of the file shall be omitted from the General File.

The General File.

34. The General File shall be the special order for each day between such hours as the Senate may determine, unless sooner disposed of; but no bill shall lose its place upon the file by expiration of the time or by adjournment of the Senate while it is under consideration.

Special Order.

35. Any subject may, by vote of a majority of those voting, be made a special order, and when the time fixed for its consideration arrives, the presiding officer shall lay it before the Senate.

Three Readings of Bills.

36. Every bill shall be read on three several days previous to its passage (unless in case of urgency, two-thirds of the membership of the Senate in which it is being considered shall by vote of the ayes and noes dispense with this provision).

Ordering Bills to Third Reading.

37. After being read the second time bills shall be ordered by the President to third reading (or, in the case of Senate Bills, to engrossment and third reading). When any member makes objection to any bill thus being ordered to third reading, the final question for such bill shall be "Shall the bill be ordered to third reading?"

Bills Considered During Last Seven Days.

38. No Senate bill shall be passed by the Senate within seven days of the time set for adjournment *sine die* of the two houses of the Legislature unless permission to vote on such a bill be granted by a three-fourths vote of the entire membership of the Senate, voting by roll call.

QUESTIONS AND MOTIONS.

Precedence of Motions During Debate.

39. When a question is under debate, no motion shall be received but the following privileged questions, which shall have precedence in the following order:

1. To adjourn.
2. For a call of the Senate.
3. To lay on the table.
4. To postpone to a day certain.
5. To commit.
6. To amend.
7. To postpone indefinitely.

Provided, however, that during a call of the Senate, it may consider and transact any matter or business that the Senators then present shall unanimously decide to consider, but no call of the Senate shall be had, during a call of the Senate, on any matter so taken up or considered while the Senate is under call. When a call of the Senate is ordered, pending the completion of a roll call, the pending roll call shall become unfinished business, the consideration of which shall be continued until further proceedings under the call of the Senate are dispensed with, when it will forthwith become the order of business before the Senate.

Amendment or Division of Question.

40. An amendment may be laid on the table without prejudice to the bill. When an amendment proposed to any pending measure shall be laid on the table, it shall not carry with it or prejudice such measure.

If the question in debate contains several propositions, any Senator may have the same divided; except a motion to strike out and insert shall not be divided. The rejection of a motion to strike out and insert one proposition shall not prevent a motion to strike out and insert a different proposition, nor shall it prevent a motion to simply strike out, nor shall the rejection of a motion to strike out prevent a motion to strike out and insert; but pending a motion to strike out and insert, the part to be stricken out and the part to be inserted shall each be regarded, for the purpose of amendment, as a question. Motions to amend the part to be stricken out shall have precedence.

Restrictions as to Amendments.

41. A substitute or amendment must relate to the same subject as the original bill, resolution or constitutional amendment under consideration.

Vote Required for Amendments.

42. A constitutional amendment or bill requiring a vote of two-thirds of the members elected to the Senate for final adoption or passage may be amended by a majority of those voting.

PROCEDURE OF DEBATE.

Seconding and Announcement of Motion.

43. No motion shall be debated until the same be seconded and distinctly announced by the President; and it shall be reduced to writing if desired by the President or any Senator, and read by the Secretary, before the same shall be debated.

Regulations as to Speaking.

44. 1. When a Senator desires to address the Senate, he shall rise in his place, address the President, and when recognized he shall proceed to speak.

2. No Senator shall speak more than twice in any one debate on the same day, and at the same stage of the bill, without leave; and Senators who have once spoken shall not again be entitled to the floor (except for explanation) so long as any Senator who has not spoken desires to speak.

3. No Senator shall be interrupted when speaking, and no question shall be asked him except those through the presiding officer.

4. The author of a bill, motion, or resolution shall have the privilege of closing the debate.

Securing of the Floor.

45. When two or more Senators arise at the same time to address the Senate, the presiding officer shall designate the Senator who is entitled to the floor.

Order in Debate.

46. When a Senator shall be called to order he shall sit down until the President shall have determined whether he is in order or not; and every question of order shall be decided by the President, subject to an appeal to the Senate by any Senator. If a Senator be called to order for words spoken, the objectionable language shall immediately be taken down in writing by the Secretary of the Senate.

The Previous Question.

47. The previous question shall be put in the following form: "Shall the question be now put?" It shall be admitted only when demanded by a majority of the Senators present upon division; and its effect shall be to put an end to all debate except that the author of the bill or the amendments shall have the right to close, and the question under discussion shall thereupon be immediately put to a vote. On a motion for the previous question prior to a vote being taken by the Senate, a call of the Senate shall be in order.

Executive Session.

48. When a motion is adopted to close the doors of the Senate, on the discussion of any business which may, in the opinion of the Senate, require an executive session, the President shall require all persons, except the Senators, President of the Senate, Secretary, Minute Clerk, and Sergeant-at-Arms, to withdraw, and during the discussion of said business the doors shall remain closed. Every Senator and officer present shall keep secret all matters and proceedings concerning which secrecy shall be enjoined by order of the Senate.

VOTING BY SENATE.

Calling Ayes and Noes.

49. When the ayes and noes shall be called for by three members present, every member within the bar of the Senate at the time the question was put shall declare openly, and without debate, assent or dissent to the question. In taking the ayes and noes, and upon call of the Senate, the names of the Senators shall be taken alphabetically. When the ayes and noes shall be taken upon any question in pursuance of this rule, no Senator shall be permitted, under any circumstances whatever, to vote after the announcement of the vote by the presiding officer.

Excused from Voting.

50. When a Senator declines to vote on a call of his name he shall be required to assign his reasons therefor, and having assigned them, the presiding officer shall submit the question to the Senate: "Shall the Senator, for the reasons assigned by him, be excused from voting?" which shall be decided without debate. And these proceedings shall be had after the roll call and before the result is announced, and any further proceedings in reference thereto shall be after such announcement.

Reconsideration of Vote.

51. On the day succeeding that on which a final vote on any bill, concurrent or joint resolution, or constitutional amendment has been taken, said vote may be reconsidered on motion of any Senator; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a Senator voting with the prevailing side; and it shall not be in order to reconsider on the day on which such final vote was taken. Said motion for reconsideration shall have precedence over every other motion, except a motion to adjourn. It shall require twenty-one votes to carry any motion to reconsider the vote by which any bill, concurrent or joint resolution, has been passed or defeated, fourteen votes

to reconsider the vote by which any constitutional amendment has been passed, and twenty-seven votes to carry any motion to reconsider the vote by which any constitutional amendment has been defeated. Notice of reconsideration of the vote by which a Senate bill was passed, or a Senate joint resolution, Senate concurrent resolution or Senate constitutional amendment adopted, shall not be in order on or after the eighth day preceding the last day of the session. No notice of reconsideration shall be in order on the day preceding the last day of the session.

When Bill Is Held for Reconsideration.

52. If a Senator gives notice that he intends to move a reconsideration, the Secretary shall not transmit the bill, concurrent or joint resolution, or constitutional amendment to the Assembly till the reconsideration is disposed of, or the time for moving the same has expired, unless the bill or resolution has already been transmitted to the Assembly.

When a Bill Is Recalled for Reconsideration.

53. When a bill, resolution, amendment, order or message upon which a vote has been taken shall have gone out of the possession of the Senate and been communicated to the Assembly, a motion to reconsider shall be preceded by a motion to request the Assembly to return the same, which last-named motion shall be acted upon immediately and without debate, and if determined in the negative shall be a final disposition of the motion to reconsider.

Debate on Motion to Reconsider.

54. A Senator, after a notice to reconsider is given, as provided in Rule 53, shall, at the reconsideration thereof, present the main question in his argument thereon, and the same shall be debated by the Senate, provided that the subject matter is debatable, and the vote on reconsideration shall be on the merits of the main question.

MESSAGES AND OTHER PAPERS.

Messengers from the Governor.

55. Messengers from the Governor may be introduced at any stage of business except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a Senator is addressing the Senate.

Messengers from the Assembly.

56. Messengers from the Assembly may be introduced at any stage of business, except while a question is being put, while the ayes and noes are being called, while ballots are being counted, or while a member is addressing the Senate.

Consideration of Assembly Messages.

57. Messages from the Assembly may be considered when indicated by the Order of Business, or at any other time, by unanimous consent, or by vote of the Senate.

Reading of Papers.

58. When the reading of a paper (except a petition) is called for, and the same is objected to by any Senator, the question shall be determined by a vote of the Senate.

CONTENTS OF SENATE JOURNAL.

Proceedings to Be Printed.

59. The proceedings of the Senate, when not acting as a Committee of the Whole, shall be entered in the Journal as concisely as possible, care being taken to record a true and accurate account of the proceedings.

Titles of Bills to Be Printed.

60. The titles of all bills, joint and concurrent resolutions, and constitutional amendments introduced shall be printed in the Journal.

Statement of Petitions to Be Printed.

61. Every vote and a brief statement of the contents of each petition, memorial, or paper presented to the Senate shall be entered in the Journal.

Other Matter to Be Printed.

62. Messages from the Governor (other than biennial messages and inaugural addresses), joint and concurrent resolutions and constitutional amendments, when adopted, and the titles of all bills, joint and concurrent resolutions and constitutional amendments, when acted upon by the Senate, shall be printed in the Journal in full; *provided*, that in case of a concurrent resolution offering the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments shall not be printed in the Journal.

LEGISLATIVE PRINTING.

Number of Bills Printed.

63. Fifteen hundred copies of all bills shall be printed; and the Sergeant-at-Arms shall be required to certify to the reception by the Senate of all printed matter, and the quantity. One copy of each bill or paper printed by order of the Senate shall

be delivered to each Senator at his desk, and the balance shall be distributed according to law.

Number of Journals Printed.

64. The Superintendent of State Printing shall print one thousand copies of the Journal of each day's proceedings of the Senate, and one copy of the same shall be placed upon each Senator's desk, and a sufficient number sent to the Assembly to supply each Assemblyman with one copy; he shall also print a sufficient number of copies, properly pagged, to bind in book form as the Journal of the Senate, at the end of the session, as required by law.

Number of Other Documents Printed.

65. Seven hundred fifty copies shall be printed of each document or other matter ordered, unless the Senate especially directs a different number.

Excess Printing Only on Written Order.

66. The Superintendent of State Printing shall not print for the use of the Senate any matter other than provided by law, unless upon a written order signed by the Secretary. The Secretary may, when necessity requires it, order from the State Printer such printing as he deems necessary to be printed in advance of the regular order of business, under specially prepared written order, to be known as a "Rush Order."

Form of Printing Amendments.

67. All bills amended by either house shall be immediately reprinted; in case new matter is added by the amendment, such new matter shall be printed in italics in the printed bill; and in case of matter being omitted, the matter to be omitted shall be printed in type bearing a single horizontal line through the center and commonly known as "strike-out" type. When a bill amendatory of a code section of a general law is engrossed, all figures or symbols shall be removed and the bill shall be printed in the usual roman type.

THE SENATE CHAMBER.

Admission Within Bar of Senate.

68. It shall be the duty of the gatekeeper to prevent all persons, except Senators, ex-Senators, members of the Assembly, State officers, officers of the two houses, and such accredited newspaper representatives as have seats assigned to them by the President, from coming within the bar of the Senate, unless upon invitation of the President or a Senator; *provided*, that no visitor shall be allowed upon the floor while the Senate is in session.

Regulations for Lobbyists.

69. 1. All persons appearing, or being, or desiring to appear, or be, at or in the Senate Chamber, or at or in any committee room of the Senate for the purpose of advocating the adoption, or defeat of any bill, measure or resolution, introduced in, pending before, or being considered by the Senate, or by any committee thereof, or for the purpose of soliciting the vote of any member of the Senate upon any such bill, measure, or resolution or upon any anticipated or proposed bill, measure, or resolution, shall register with the Sergeant-at-Arms, his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written authority to represent such person, corporation or interest, and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses, and the persons, corporations or interest represented by them, shall be kept, and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

No person shall appear at or enter the Senate Chamber, or any committee room of the Senate, for the purpose of advocating the adoption or defeat of any bill, measure, or resolution, without first having registered and secured the certificate, as herein provided.

2. No person engaged in presenting to the Senate or any of its committees any business, claim, or legislation, shall be permitted to engage in such business in the Senate Chamber or be permitted on the floor of the Senate at any time while the Senate is in session. Any person transgressing this rule shall be removed from the floor of the Senate and shall be debarred from the privilege of the floor during the remainder of the entire session. The President and President pro tempore are charged with the enforcement of this rule, and this rule can not be suspended except by a two-thirds vote of the entire Senate.

Maintaining of Order.

70. In case of a disturbance or disorderly conduct in the lobbies, the President (or Chairman of the Committee of the Whole) shall have the power to order the same cleared.

Smoking Within Senate Chamber.

71. No smoking shall be allowed within the Senate Chamber when objected to by the presiding officer or by any five members.

MISCELLANEOUS PROVISIONS.

Duties of Members.

72. No Senator shall absent himself from attendance upon the Senate without leave first obtained. A less number than a quorum of the Senate is hereby authorized to send the Sergeant-at-Arms, or any other person, for any and all absent Senators at the expense of such absent Senators, respectively, unless such excuse for nonattendance as shall be made to the Senate, when a quorum is convened, shall be judged sufficient, and in that case the expense shall be paid out of the Contingent Fund of the Senate; and this rule shall apply as well to the first convention of the Senate, at the legal time of meeting, as to each day of the session after the hour has arrived to which the Senate stood adjourned. The President or Acting President of the Senate, or less than a quorum present, shall have the power to issue process directly to the Sergeant-at-Arms, or to any other person, to compel the attendance of Senators absent without leave. Any Senator who shall refuse to obey such process unless sick or unable to attend, shall be deemed guilty of contempt of the Senate, and the Sergeant-at-Arms, or any other person, to whom such process may be directed, shall have power to use such force as may be necessary to compel the attendance of such absent Senator, and for this purpose he may command the force of the county, or of any county in the State.

Call of the Senate

73. Upon a motion being carried for a call of the Senate the President shall immediately order the doors to be closed, and shall direct the Secretary to call the names of the absentees as disclosed by the last previous roll call. Thereupon no one shall be permitted to leave or enter the Senate except by written permission of the President or President pro tempore, or except such members as are taken into custody as herein provided. Those members who are found to be absent and for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and then taken into custody by the Sergeant-at-Arms wherever found, or by special messenger to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a roll call of the Senate and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the Senate.

Parliamentary Rules.

74. In all cases not provided for by these rules, or by the Joint Rules of Senate and Assembly, the authority shall be Robert's Rules of Order.

Suspension or Changes of Rules.

75. No standing rules or order of the Senate shall be rescinded or changed without a vote of two-thirds of the entire Senate, and one day's notice being given of the motion therefor; but a rule or order may be suspended temporarily by a vote of two-thirds of the members of the Senate, except that portion of Rule 13, relating to the order of enrolling bills. All proposed amendments to these rules shall, upon presentation, be referred to the Committee on Rules without debate.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Tuesday, January 13, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, January 13, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—35.

Quorum present.

PRAYER.

By invitation of the President, prayer was offered by the Rev. Arthur Julian Mockford.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 12, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to former Senator Dan Murphy of San Francisco.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the civics class of the Rio Vista High School, Mr. David Ruby, teacher, and students as follows: Janet McCormack, Minnie Fisher, Alleen Balsmeier, Leroy Filbert, Elizabeth Talbert, Ellen Lauritzen, Ben Wilson, Elwood Anderson, Albert Biggs, Lillian Sawada, Thomas Carolan, Bonnie Jean Woodward, Edna Mae Emigh, Olga Palestini, Genevieve Sullivan, Janice Hamilton, Ruth Brown, Alyce Catherine Hitchcock, Edward Chan, Carmen Baldetta, Guy Focarracci, Mr. Sawada, Mrs. McCormack, Jeanette Filbert, Frank Silva, Vernal Neves, Mrs. Akers, Jessie Church and Gilbertine Lagman.

STATEMENT BY SENATOR JONES.

The following statement was received, and, on motion of Senator Jones, ordered printed in the Journal:

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: Yesterday there was placed upon our desks the report of the State Narcotic Committee, of which Senator Sanborn Young is chairman.

In the pressure of legislative work these reports do not always receive the attention that they merit. I want to take this occasion therefore to say a word about this report. It presents the most up-to-the-minute consideration of the narcotic problem of any report ever issued in the United States. It is also one of the most thorough and comprehensive reports on the subject, excepting only the reports of Dr. Carleton Simon, deputy police commissioner of New York City.

It has been primarily through the efforts of Senator Young, that California in the sessions of 1925, 1927 and 1929, has enacted some of the most effective narcotic legislation in the country, so recognized by the authorities at Washington. This legislation has placed California at the head of all the states in the Union in dealing with the narcotic problem.

Senator Young's interest in the narcotic problem arose in an accidental way. In the year 1922 he was chairman of the public morals committee of the grand jury of Santa Clara County. With his usual thorough-going methods he investigated conditions in the Santa Clara County jail, and found that 71 out of the 103 prisoners there confined were narcotic addicts. This revelation led him to a study of the causes of addiction, and an inquiry into the reasons for our ineffective enforcement. His study led to the formulation of the policy which the State has since adopted of singling out the peddlers and those who profit by the illegal sale of narcotics for severe penalties, as distinguished from the unfortunate victims. It also led to the establishment of a separate State Narcotic Hospital.

During the past eight years Senator Young has labored untiringly on this problem, and has made trips to Washington, D. C., and to eastern states, as well as innumerable trips throughout California, many of them at his own personal expense.

I feel that recognition of Senator Young's tireless and disinterested service should be given, especially at this time when under the reapportionment amendment his district goes out of existence after this session. I trust, however, that his public service and his interest in this problem may be continued in some appropriate capacity. The problem is a world-wide one. Narcotic addiction is one of the most terrible scourges of the race. England's own statesmen have denounced her opium war against China as a blot upon her history. International cooperation and effort is necessary in stopping the production of narcotics at the source. These international efforts center in the conference in Geneva. The President of the United States could look far before finding an expert better qualified or an emissary more competent to represent this country than our own colleague right here in the California State Senate—Sanborn Young.

ADOPTION OF STANDING RULES.

Senator Breed moved that the proposed standing rules of the Senate and amendments, as printed in the Senate Journal of January 12, be adopted.

The question being on the adoption of the proposed standing rules and amendments as printed in the Senate Journal of January 12.

The roll was called, and the proposed standing rules and amendments adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, Williams, and Young—31.

NOES—None.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

Resolved, That the Secretary of the Senate be and he is hereby authorized to purchase for the use of the members of the Senate, forty (40) sets of the 1929 edition of Deering's Codes and General Laws of the State of California, including 1927-1929 Supplement, complete in seven volumes; also forty (40) copies of Treadwell's Annotated Constitution of the State of California, fifth edition, 1928, with all amendments to date, one volume, buckram binding; also forty (40) copies of Robert's Rules of Order; all of said sets and volumes to be paid for out of the contingent fund of the Senate.

Also, that the Secretary of the Senate be and he is hereby authorized and directed to deliver one of said sets of Codes and General Laws, seven volumes, together with one volume of Treadwell's Annotated Constitution of California, also one volume of said Rules, to each Senator.

INGELS, Chairman.
MALONEY,
WILLIAMS.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—32.

NOES—None.

By Senator Hays:

WHEREAS, Pursuant to the provisions of the Political Code, the Secretary of State of the State of California did on January 8, 1931, deliver to the presiding officer of the Senate of California the depositions, original statement, and all other papers theretofore received by him under the provisions of said code in the matter of the election contest instituted by Charles F. Preciado against Andrew R. Schottky, wherein and whereby the said Charles F. Preciado contests the election of the said Andrew R. Schottky, as a Senator of the State of California from the Twenty-fourth Senatorial District of said State at a general election held in said district November 4, 1930, and contests the right of said Andrew R. Schottky to a seat in said Senate as a member thereof from said Twenty-fourth District, notwithstanding

the declaration of election of said Andrew R. Schottky to said office by the boards which canvassed the returns of said election, and the issuance to said Andrew R. Schottky of a certificate of election to said office; and

WHEREAS, Said contest is now pending before this Senate as the branch of the Legislature by which said contest is to be tried; and

WHEREAS, A special committee of five Senators has been appointed by the President of the Senate to examine and consider the depositions, statement and all other papers heretofore delivered to the presiding officer of this body, relating to said contest or to the right to a seat in this Senate as a member thereof from the Twenty-fourth Senatorial District of California, and said contest and all of said papers relating thereto have been referred to said special committee for investigation and consideration; therefore, be it

Resolved, That said committee be and it is hereby given leave to sit during the sessions of the Senate either at the city of Sacramento, or, if deemed advisable by said committee, at any other place within the State of California; and that said committee be and it is hereby directed to complete the investigation as speedily as practicable, and that it be and it is hereby authorized, empowered, and directed to take and obtain any other evidence or testimony, oral or written, relating to or bearing upon the matter of said contest and the right to said seat in this Senate which such committee may deem material thereto, and upon the completion of said investigation or at any time prior thereto, to report to this Senate the result thereof, together with such conclusions or recommendations as said committee may deem proper; and be it further

Resolved, That said committee be and it is hereby authorized, empowered, and directed to do any and all things necessary to make a full and complete investigation of said contest and the right to a seat in this Senate as a member from said Twenty-fourth Senatorial District, including a re-count of the ballots cast at said election if deemed necessary by said committee, and all of the matters and subjects hereinbefore enumerated, and to that end to employ all necessary clerical and expert assistance; and the committee is hereby authorized, empowered, and directed to summon witnesses, send forth persons and papers, to issue subpoenas and to take all necessary means to compel the attendance of witnesses and procure testimony; and the members of said committee are, and each of them is, hereby authorized to administer oaths; and all the provisions of article VIII of chapter 2, title I, part III, of the Political Code of this State relative to the "Attendance and examination of witnesses before the Legislature and committees thereof" shall apply to the committee appointed under this resolution; and the Sergeant-at-Arms of the Senate or any peace officer of the State of California is hereby authorized and directed to serve any and all subpoenas and orders or other process that may be issued by the said committee when directed so to do by the chairman thereof; and be it further

Resolved, That the sum of \$1,500 out of the contingent fund of the Senate be and the same is hereby made available for the purpose of defraying the expenses of said committee and said investigation, including the necessary traveling expenses of the members of said committee and the contingent expenses of said committee and said investigation, and the State Controller is hereby authorized and directed to draw his warrants in favor of the chairman of said committee for such expenditures as may be certified to him from time to time by the chairman of said committee and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

Senator Hays moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, and Young—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Evans: Senate Bill No. 89—An act to amend section 15 of chapter 755 of the Statutes of 1915, entitled "Los Angeles County Flood Control Act," approved June 12, 1915, as amended, relating to contracts for work, materials and supplies.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Rochester: Senate Bill No. 90—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 91—An act to amend section 955 of the Civil Code, relating to assignment of wages or salary.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 92—An act to amend section 538 of the Code of Civil Procedure, relating to affidavits of attachment.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 93—An act to amend section 831*d* of the Code of Civil Procedure, relating to civil practice and procedure in municipal courts.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 94—An act making an appropriation to pay the claim of Herbert W. Furniss against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator McKinley: Senate Bill No. 95—An act for the regulation and control of fraternal benefit societies, and repealing all acts or parts of acts inconsistent or in conflict with this act.

Bill read first time, and referred to Committee on Insurance.

By Senator McKinley: Senate Bill No. 96—An act to amend sections 1, 2 and 3 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended.

Bill read first time, and referred to Committee on Insurance.

By Senator McKinley: Senate Bill No. 97—An act to amend section 5 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911.

Bill read first time, and referred to Committee on Insurance.

By Senator McKinley: Senate Bill No. 98—An act to amend section 6 and repeal section 7 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911, as amended.

Bill read first time, and referred to Committee on Insurance.

By Senator McKinley: Senate Bill No. 99—An act to amend section 8 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911.

Bill read first time, and referred to Committee on Insurance.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 12, 1931.

To the Honorable, the Senate of the State of California.

I have the honor to inform your honorable body that I have this day appointed to the Board of Harbor Commissioners of San Francisco, Patrick W. Meherin, a

Harbor Commissioner; Joseph J. Tynan, a Harbor Commissioner, and Joseph A. Moore, a Harbor Commissioner, and request your consent and concurrence thereto.

Respectfully submitted.

JAMES ROLPH, JR., Governor.

CONSIDERATION OF APPOINTMENTS OF GOVERNOR.

Senator Breed asked for, and was granted, unanimous consent for the consideration of the several appointments of the Governor, without reference to committee.

MOTIONS CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Breed moved that the Senate confirm and consent to the several appointments by the Governor.

The President put the question: Will the Senate confirm and consent to the appointment of Patrick W. Meherin as a member of the Board of State Harbor Commissioners?

The roll was called, with the following result:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Hays, Iman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young.—31.

NOES—None.

Whereupon, the President announced that the Senate had confirmed and consented to the appointment of Patrick W. Meherin as a member of the Board of State Harbor Commissioners.

The President put the question: Will the Senate confirm and consent to the appointment of Joseph J. Tynan as a member of the Board of State Harbor Commissioners?

The roll was called, with the following result:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Hays, Iman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, and Young.—30.

NOES—None.

Whereupon, the President announced that the Senate had confirmed and consented to the appointment of Joseph J. Tynan as a member of the Board of State Harbor Commissioners.

The President put the question: Will the Senate confirm and consent to the appointment of Joseph A. Moore as a member of the Board of State Harbor Commissioners?

The roll was called, with the following result:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Iman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young.—32.

NOES—None.

Whereupon, the President announced that the Senate had confirmed and consented to the appointment of Joseph A. Moore as a member of the Board of State Harbor Commissioners.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 59—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the

approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde joint levee district of Riverside and Imperial counties, California; the properties and functions of the Palo Verde drainage district; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties, to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered *Sa*, 10, 26, 28, 28*h*, 28*j*, 28*k*, 28*l*, 28*m*, 28*n*, 29, 56, 59 and 64 thereof, and by repealing section 28*c* thereof, and by adding thereto new sections, to be numbered and providing as follows, to wit: section 10*a*, relating to rates of tolls and charges and section 28*l**o*, relating to partial redemption from delinquent assessments, and declaring same an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER FIFTY-NINE.

Senator Edwards asked for, and was granted, unanimous consent for the consideration of Senate Bill No. 59, without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Edwards:

Resolved, That Assembly Bill No. 59 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Ducl., Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, and Young—32.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 59.

SECOND READING OF ASSEMBLY BILL NUMBER FIFTY-NINE.

Assembly Bill No. 59—An act to amend the act entitled "An act to be known as 'Palo Verde Irrigation District Act,' creating a consolidated irrigation, protection and reclamation district, subject to the approval of the owners of property within the district, to be known as 'Palo Verde Irrigation District,' for the purpose of taking over the water rights and

water system of the Palo Verde Mutual Water Company, a corporation, and of the stockholders thereof; the levees, properties and functions of the Palo Verde joint levee district of Riverside and Imperial counties, California; the properties and functions of the Palo Verde drainage district; and for the acquiring of such other properties, the construction of such other improvements and the doing of such other things as may be necessary for providing a unified and comprehensive method of supplying the irrigable low lands of Palo Verde Valley comprised within the district with water for irrigation and domestic uses, reclaiming the swamp lands, destruction of mosquito pests, and protecting all the lands within the district, and the water system, from the flood waters of the Colorado River, and for maintaining, improving, expanding and operating and governing the entire irrigation, protection and reclamation systems through a single district organization; providing also for the assumption, funding and payment of the bond and other obligations of said Palo Verde Mutual Water Company and said levee and drainage districts, and for the issuance of bonds for all of the aforesaid purposes; and providing for the payment, funding and refunding of all such indebtedness; providing also for an election to determine whether this district shall be organized, and for the organization, management and control of the district through a board of trustees if the proposed district is organized; defining the powers and duties of the board, authorizing the district to sue and be sued, providing for the levy and collection of assessments to finance the acquisition of the properties to carry on the construction work, maintenance and operation of the same, and for the payment of bonds and the expense of maintaining the district created hereby; providing also a means for dissolving said district," approved June 21, 1923, as amended, by amending sections numbered 8a, 10, 26, 28, 28h, 28j, 28k, 28l, 28m, 28n, 28o, 29, 56, 59 and 64 thereof, and by repealing section 28e thereof, and by adding thereto new sections, to be numbered and providing as follows, to wit: section 10a, relating to rates of tolls and charges and section 28lo, relating to partial redemption from delinquent assessments, and declaring same an urgency measure.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 20. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately.

The facts constituting such urgency are as follows: The Palo Verde irrigation district is in dire distress financially. The lands therein have become greatly in arrears in the payment of taxes, and consequently the bonds of the Palo Verde irrigation district, of the Palo Verde drainage district and of the Palo Verde joint levee district of Riverside and Imperial counties, California, are delinquent and the operation and maintenance funds are exhausted. If the delinquent property in said district is not promptly returned to farming, and if the taxes, tolls and charges are not promptly paid, the payment of outstanding bond obligations can not be made, the operation and maintenance of the levees, drains and irrigation system can not be kept up, and a great menace and danger to life, health and property will shortly exist. The amendments to said act herein contained are necessary to accomplish the return to farming of said delinquent properties and to secure the payment of taxes, tolls and charges, and thereby to prevent the destruction of life, health and property.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagly, and Young—32.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 59 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Wagly—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 3—Relative to approving five certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, at a general election held therein on the fourth day of November, 1930:

Also: Senate Concurrent Resolution No. 5—Relative to amendment to the charter of the city of Salinas voted and ratified by the electors of said city, at the regular election held on the fourth day of November, 1930.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKA, Assistant Clerk.

Senate Concurrent Resolutions Nos. 3 and 5 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 1—Relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation of the State of California situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930;

Also: Assembly Concurrent Resolution No. 2—Relative to approving amendments to the charter of the city of Alameda, after due ratification by a majority of the qualified voters of said city at an election held therein on the fourth day of November, 1930.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolutions Nos. 1 and 2 referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 4—Relative to the reimbursement of the State of California for moneys actually expended in the aid of the government of the United States during the war between the states.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Joint Resolution No. 4 referred to Committee on Federal Relations.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 3—Relative to memorializing Congress to enact legislation which will place a tariff upon oil.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senator McKinley asked for, and was granted, unanimous consent to have Assembly Joint Resolution No. 3 held at the desk without reference to committee.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Swing: Senate Bill No. 100—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Finance.

By Senator McKinley: Senate Bill No. 101—An act to amend sections 9, 10 and 11 of chapter 682, Statutes of 1911, entitled "An act for the regulation and control of fraternal benefit societies," approved May 1, 1911.

Bill read first time, and referred to Committee on Insurance.

By Senators McCormack and Sharkey: Senate Bill No. 102—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts.

Bill read first time, and referred to Committee on Reapportionment.

By Senator Schottky: Senate Bill No. 103—An act to amend sections 1360 and 1361 of the Political Code relating to the time of receiving and canvassing ballots.

Bill read first time, and referred to Committee on Elections.

By Senator Williams: Senate Bill No. 104—An act authorizing and directing the Department of Public Works to acquire necessary rights of way and to construct and maintain a highway, which is hereby declared to constitute and be a State highway, from the city of Sonora, Tuolumne County, to Mariposa, county of Mariposa, California.

Bill read first time, and referred to Committee on Roads and Highways.

By Senators Swing, Hays, Edwards, and Harper: Senate Bill No. 105—An act making an appropriation to meet a deficiency in the appropriation for support of the District Court of Appeal for the Fourth Appellate District for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read :

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 105 :

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 13, 1931.

To the Honorable Members of the Senate of the State of California.

Senate Bill No. 105 makes an appropriation to meet a deficiency in the appropriation for support of the District Court of Appeal, for the Fourth Appellate District, for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

RESOLUTION.

The following resolution was offered :

By Senator Inman :

Resolved, That Senate Bill No. 105 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—33.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 105.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED FIVE.

Senate Bill No. 105—An act making an appropriation to meet a deficiency in the appropriation for support of the District Court of Appeal for the Fourth Appellate District for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

Sec. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—33.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 105 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—31.

NOES—None.

Title read and approved.

Senate Bill No. 105 ordered transmitted to the Assembly.

APPOINTMENT OF STANDING COMMITTEES.

The President announced that he had appointed the Senate standing committees, as follows:

Agriculture and Live Stock (13)—Duval (Chairman), Bush, Cassidy, Crittenden, Edwards, Hays, Ingels, McCormack, Mixer, Moran, Schottky, Slater, Waggy.

Banking (9)—Jones (Chairman), Bush, Duval, Edwards, Evans, Nelson, Pedrotti, Slater, Tubbs.

Building and Loan (11)—Inman (Chairman), Allen, Christian, Cleveland, Duval, Edwards, Jones, Pedrotti, Rochester, Schottky, Young.

Commerce and Navigation (9)—Cleveland (Chairman), Baker, Carter, Harper, Ingels, Inman, Maloney, Swing, Tubbs.

Conservation (7)—Evans (Chairman), Cassidy, Deuel, Mixer, Sharkey, Williams, Young.

Constitutional Amendments (9)—Allen (Chairman), Crittenden, Evans, Jones, McCormack, Mixer, Rochester, Schottky, Swing.

Contingent Expenses (3)—Ingels (Chairman), Maloney, Williams.

County Government (9)—Waggy (Chairman), Cassidy, McCormack, Nelson, Rich, Riley, Schottky, Slater, Swing.

Drainage, Swamp and Overflowed Lands (5)—McCormack (Chairman), Crittenden, Evans, Moran, Swing.

Education (13)—Slater (Chairman), Baker, Cassidy, Cleveland, Deuel, Evans, Harper, Hays, Jones, Mixer, Pedrotti, Sharkey, Tubbs.

Elections (11)—Fellom (Chairman), Crittenden, Ingels, Jones, McCormack, Rochester, Sharkey, Slater, Tubbs, Waggy, Young.

Engrossment, Enrollment and Printing (5)—Riley (Chairman), Deuel, Cassidy, Ingels, Williams.

Federal Relations (5)—Schottky (Chairman), Harper, McCormack, Riley, Waggy.

Finance (17)—Swing (Chairman), Breed, Bush, Carter, Duval, Edwards, Fellom, Ingels, Inman, Jones, Moran, Nelson, Rich, Sharkey, Slater, Tubbs, Young.

Fish and Game (15)—Young (Chairman), Allen, Baker, Carter, Duval, Harper, McKinley, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Williams.

Governmental Efficiency (11)—Crittenden (Chairman), Baker, Breed, Christian, Deuel, Fellom, Maloney, McCormack, McKinley, Mixer, Tubbs.

Hospitals and Asylums (5)—Bush (Chairman), Fellom, Rochester, Slater, Sharkey.

Insurance (11)—Tubbs (Chairman), Allen, Breed, Carter, Harper, Hays, Inman, Maloney, McKinley, Moran, Sharkey.

Irrigation (7)—Mixer (Chairman), Bush, Crittenden, Hays, Schottky, Waggy, Young.

Judiciary (16)—Christian (Chairman), Allen, Baker, Bush, Carter, Cleveland, Crittenden, Hays, Inman, Jones, McKinley, Nelson, Rich, Rochester, Schottky, Swing.

Labor and Capital (9)—Maloney (Chairman), Allen, Cassidy, Cleveland, Inman, Jones, Moran, Riley, Waggy.

Mines and Mining (5)—Cassidy (Chairman), Allen, Rich, Riley, Williams.

Motor Vehicles (15)—Baker (Chairman), Breed, Cassidy, Cleveland, Crittenden, Edwards, Fellom, Inman, Maloney, Pedrotti, Riley, Sharkey, Swing, Waggy, Williams.

Oil Industries (7)—Sharkey (Chairman), Duval, Edwards, Harper, Maloney, Moran, Wagy.

Prisons and Reformatories (7)—Pedrotti (Chairman), Cassidy, Deuel, Ingels, Maloney, Riley, Williams.

Public Charities and Corrections (5)—Moran (Chairman), Ingels, Pedrotti, Riley, Williams.

Public Health and Quarantine (7)—Williams (Chairman), Evans, Harper, Pedrotti, Schottky, Wagy, Young.

Military Affairs (11)—Hays (Chairman), Bush, Christian, Cleveland, Ingels, Inman, McKinley, Mixter, Moran, Rochester, Tubbs.

Municipal Corporations (9)—Harper (Chairman), Allen, Bush, Carter, Christian, Fellom, Mixter, Rich, Rochester.

Public Morals (5)—Rich (Chairman), Edwards, Evans, Jones, Tubbs.

Public Utilities (11)—Carter (Chairman), Baker, Christian, Deuel, Duval, Evans, Inman, Mixter, Nelson, Rich, Wagy.

Reapportionment (15)—McKinley (Chairman), Baker, Breed, Carter, Christian, Duval, Edwards, Fellom, Hays, Inman, Maloney, McCormack, Nelson, Rich, Rochester.

Revenue and Taxation (13)—Nelson (Chairman), Breed, Carter, Christian, Cleveland, Crittenden, Deuel, Duval, Fellom, Hays, McKinley, Swing, Young.

Revision of Criminal Law and Procedure (9)—Rochester (Chairman), Baker, Bush, Cassidy, Christian, Cleveland, Fellom, Maloney, Rich.

Roads and Highways (13)—Edwards (Chairman), Allen, Breed, Deuel, Fellom, Harper, Ingels, McCormack, Pedrotti, Riley, Slater, Swing, Williams.

Rules (5)—Breed (Chairman), Deuel, McKinley, Nelson, Slater.

Universities and Teachers Colleges (9)—Deuel (Chairman), Breed, Evans, Harper, Hays, McKinley, Nelson, Pedrotti, Young.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Wednesday, January 14, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, January 14, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 13, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Swing was, on motion of Senator Sharkey, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Richard Sharkey, III.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the civics class of the Dixon High School, Mr. W. F. Young, principal, and students, as follows: William Dietrich, Mary E. Tuck, Edward Sedgwick, Earl D. Marker, Louie Dennis, Betty Drefelder, Gladys Pedrick, Regina McCoy, Henrietta Haase, John Reimers, Elmer Schroeder, Don L. Mace, Wilma Johnson, Jessie Lee Ashby, Henry Timm, Theresa Panizza, Patricia Chiles, Jean Hitchcock, Geraldine Buhlert, Virdelle McNair and Mamie Azevedo.

On request of Senator Edwards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leon O. Whitsell, member of the Railroad Commission of California.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mark Potter of Pomona, California.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS

SENATE CHAMBER, SACRAMENTO, January 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 1—An act relative to approving certain amendments to the charter of the city of Pasadena, a municipal corporation of the State of California situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930, has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

HARPER. Chairman.
ALLEN.
BUSH.
CARTER.
CHRISTIAN.
FELLOW.
MIXTER.
RICH.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ONE.

Senator McKinley asked for, and was granted, unanimous consent to consider Assembly Concurrent Resolution No. 1 at this time, for purpose of adoption.

Assembly Concurrent Resolution No. 1—Approving certain amendments to the charter of the city of Pasadena, a municipal corporation of the State of California situated in the county of Los Angeles, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 1 adopted by the following vote.

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellow, Harper, Hays, Inman, Jones,

Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—34.
 NOES—None.

Assembly Concurrent Resolution No. 1 ordered transmitted to the Assembly.

RESOLUTIONS.

The following resolutions were offered:

By Senator Maloney:

Resolved, That the following named person be stricken from the list of Senate attaches, and his name to be stricken from the pay roll of the Senate, same to take effect as of January 13, 1931:

Brad Perry, Assistant Sergeant-at-arms.....\$5 00

Resolution read, and on motion of Senator Maloney adopted.

By Senator Maloney:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to pay the same:

Fred Niler, Assistant Sergeant-at-arms.....\$5 00

Resolution read.

Senator Maloney moved the resolution be adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wag, and Young—29.

NOES—None.

By Committee on Contingent Expenses:

Resolved, That the Controller be, and he is hereby ordered and directed to draw his warrant on the contingent fund of the Senate in favor of the Secretary of the Senate in the sum of two hundred dollars (\$200) for postage, and the Treasurer is hereby ordered to pay the same.

(Signed)

INGELS, Chairman.
 MALONEY.
 WILLIAMS.

Resolution read.

Senator Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—33.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 14, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 2 Relative to approving amendments to the charter of the city of Alameda, after due ratification by a majority of the qualified voters of said city at an election held therein on the fourth day of Novem-

ber, 1930—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

HARPER, Chairman.

ALLEN.

BUSH.

CARTER.

CHRISTIAN.

MIXTER.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER TWO.

Senator Christian asked for, and was granted, unanimous consent for the consideration of Assembly Concurrent Resolution No. 2, at this time, for purpose of adoption.

Assembly Concurrent Resolution No. 2—Approving amendments to the charter of the city of Alameda, after due ratification by a majority of the qualified voters of said city at an election held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 2 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, and Young—31.

NOES—None.

Assembly Concurrent Resolution No. 2 ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER THREE.

Senator McKinley asked for, and was granted, unanimous consent to consider Assembly Joint Resolution No. 3, at this time, for purpose of adoption.

ASSEMBLY JOINT RESOLUTION No. 3.

Relative to memorializing Congress to enact legislation which will place a tariff upon oil.

WHEREAS, The production of oil is a source of great financial benefit to the people of our nation in affording employment to great numbers of them in the many operations necessary in bringing oil from the earth to those who are to use it, and

WHEREAS, A dependence on foreign supplies of oil is inherently dangerous; and

WHEREAS, It appears that the progress of all branches of the industry both great and small demands protection; and

WHEREAS, It appears that enormous quantities of oil are being brought in from Russia and Venezuela, and sold at a smaller cost than the price at which domestically produced oil can be sold; and

WHEREAS, This situation, if allowed to continue, would eventually bring about the destruction of the American oil industry; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California jointly. That we the members of the Legislature of the State of California, urge enactment of a law by Congress imposing a tariff upon all oil brought into the United States from foreign countries; and be it further

Resolved, That a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States and to each Senator and Representative in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman,

Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, and Wagy—32.
NOES—Senator Allen—1.

Assembly Joint Resolution No. 3 ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Senate Bill No. 105. An act making an appropriation to meet a deficiency in the appropriation for support of the District Court of Appeal for the Fourth Appellate District for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Senate Bill No. 105 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 8—Relative to approving certain amendments to the charter of the city of Glendale, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930;

Also: Senate Concurrent Resolution No. 9—Relative to approving certain amendments to the charter of the city of Piedmont, in the county of Alameda, State of California, voted and ratified by the qualified electors of said city at the special municipal election held on the fourth day of November, 1930.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Senate Concurrent Resolutions Nos. 8 and 9 ordered to enrollment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Cassidy: Senate Bill No. 106—An act to validate bonds of school districts, high school districts, and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of the same, the act to take effect immediately.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIX.

Senator Cassidy asked for, and was granted, unanimous consent to consider Senate Bill No. 106 at this time, without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Cassidy:

Resolved, That Senate Bill No. 106 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, and Williams—34.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 106.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED SIX.

Senate Bill No. 106—An act to validate bonds of school districts, high school districts, and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of the same, the act to take effect immediately.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency: Many school districts within the State of California are without sufficient money with which to purchase school lots, for building or purchasing one or more school buildings or making alterations or additions to same or restoring or rebuilding school buildings damaged, injured or destroyed by fire or other public calamity, for insuring school buildings, for supplying school buildings with furniture or necessary apparatus, for improving school grounds, for liquidating any indebtedness already incurred for said purposes or refunding any valid outstanding indebtedness of such district evidenced by bonds or warrants thereof. Many school districts have within the last two years voted bonds for raising money for such purposes and the proceedings in many of such bond elections were irregular but complying with all the provisions of this act, and by reason of such minor irregularities and defects in such proceedings, not jurisdictional, such bonds cannot be sold. The population of many of these districts has increased so rapidly that the present school facilities of such districts are unable to meet the needs of the great increase of pupils in such districts and it is necessary and urgent that such bonds and the proceedings thereunder be validated at an early date in order that said school buildings, lots, equipment and facilities may be purchased or built before the opening of the next school year which in many instances would be impossible if this act did not go into effect immediately but was required to await until 90 days after adjournment of this Legislature.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 106 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS—(RESUMED).

By Senator McCormack: Senate Bill No. 107—An act providing for the erection and maintenance of a monument to the memory of Chief Solano, to be erected in Solano County, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Evans: Senate Bill No. 108—An act regarding certificates of registration as "registered sanitarians" for persons performing the duties of sanitary inspectors or sanitary officers, prescribing terms and conditions under which such inspectors or officers may be employed, and providing penalties for the violation of the provisions hereof.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Harper: Senate Bill No. 109—An act making an appropriation to meet a deficiency in the appropriation for minor construction, improvements, and equipment of new college, San Diego State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read first time, and referred to Committee on Finance.

By Senator Rochester: Senate Bill No. 110—An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality, metropolitan water district, or other political subdivision within this State and to repeal all acts or parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Rochester: Senate Bill No. 111—An act amending an act entitled "An act providing for the incorporation, government and management of metropolitan water districts, authorizing such districts to incur bonded debt and to acquire, construct, operate and manage works and property, providing for the taxation of property therein and the performance of certain functions relating thereto by officers of counties, providing for the addition of area thereto and the exclusion of area therefrom and authorizing municipal corporations to aid and participate in the incorporation of such districts," approved May 10, 1927, as amended, designated the "Metropolitan Water District Act," by amending sections 5, 5½, 6, 7, 8 and 9, all relating to the powers, government and management of metropolitan water districts, and the addition of area thereto.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Rochester: Senate Bill No. 112—An act to amend section 61 of chapter 76, Statutes of 1909, entitled the "Bank Act," relating to the purchase, holding and sale of real and personal property by savings banks.

Bill read first time, and referred to Committee on Banking.

By Senator Rochester: Senate Bill No. 113—An act to amend section 4 of chapter 16, Statutes of 1923, entitled "An act to authorize and con-

trol the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended, relating to the security to be given for such deposits.

Bill read first time, and referred to Committee on Banking.

By Senator Rochester: Senate Bill No. 114—An act to amend section 200 of the Code of Civil Procedure, relating to exemptions from jury service.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 115—An act to amend sections 37, 128, 190, 219 and 246 of the Penal Code, relating to the punishment for crime and doing away with the death penalty except in certain cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Rochester: Senate Bill No. 116—An act to amend sections 3746, 3756 and 3817 of the Political Code, relating to penalties for failure to pay taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Rochester: Senate Bill No. 117—An act to amend section 146 of the Penal Code, relating to public officers.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Rochester: Senate Bill No. 118—An act to amend section 1525 of the Penal Code, relating to search warrants.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Sharkey: Senate Bill No. 119—An act to carry into effect the provisions of section 18 of article XIII of the constitution, and adding sections 3664b1, 3664b2, 3664b3, and 3664b4 to the Political Code, relating to taxation of ocean marine insurers.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator McKinley: Senate Bill No. 120—An act to amend sections 3, 9, 12 and 20a of, and to add new sections numbered 3a, 3b, 3c and 12a to the California Real Estate Act relating to the State Real Estate Department, the issuance and revocation of licenses, the examination of subdivision projects, and creating the California Real Estate Advisory Council.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Cleveland: Senate Bill No. 121—An act regulating the wrapping and marking of bread or pastry and fixing penalties for violation of the provisions thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Baker: Senate Bill No. 122—An act to add a new section to be numbered 426*b* to the Code of Civil Procedure, relating to the pleadings in divorce actions based on extreme cruelty and adultery.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 123—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Ingels: Senate Bill No. 124—An act to amend section 736*c* of the Political Code, relating to the payment of salaries of judges of the superior courts.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Inman: Senate Bill No. 125—An act defining and prohibiting trusts, monopolies, and conspiracies against trade, and providing penalties for the violation of this act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Harper: Senate Bill No. 126—An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal chapter 32, Statutes of 1911, extra session, entitled "An act to provide for the recall of elective officers of incorporated cities and towns," approved January 2, 1912.

Bill read first time, and referred to Committee on Elections.

By Senator Harper: Senate Bill No. 127—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution or attachment.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Tubbs: Senate Bill No. 128—An act to pay the claim of the Frederick W. Snook Company against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator McKinley: Senate Bill No. 129—An act to repeal title I and title II of part IV of division III of the Civil Code; to repeal sections 1083, 1136, 1140, 1141, 1142, 3049, 3078, 3079, 3080, 3308, 3309, 3310, 3311, 3312, 3313, and 3314 of said code; to amend sections 1612, 1613, 1624, 1689 and 3387 of said code; to add a new title I of part IV of division III of said code in place thereof consisting of sections 1721 to 1800, both inclusive; and to add a new section to said code to be known as section 1624*a*, all relating to sale of goods; to amend section 36 of said code relating to disaffirmance by minor; to amend section 658 of said code relating to real property; to amend section 660 of said code relating to fixtures; to add a new section to said code to be known as section 35*a*, relating to minors and to add three new sections to said code to be known as sections 1097, 1098 and 1099, relating to real property, and to make the law of sale of goods in the State of California uniform with the law of other states.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 130—An act to amend section 1973 of the Code of Civil Procedure, and to add to said code a new section to be numbered 1973a, relating to agreements in writing.

Bill read first time, and referred to Committee on Judiciary.

By Senator Slater: Senate Bill No. 131—An act to amend section 651d of the Civil Code, relating to the conferring of academic or professional degrees.

Bill read first time, and referred to Committee on Education.

By Senator McCormack: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of said state by amending section 14 of article XIII, relating to exemptions of property on account of military service.

Senate Constitutional Amendment No. 6 read, and referred to Committee on Constitutional Amendments.

By Senators Slater and McCormack: Senate Concurrent Resolution No. 10—Relative to the orderly addition of new roads to the State highway system, after engineering and economic studies by the California Highway Commission and the Department of Public Works.

Senate Concurrent Resolution No. 16 read, and referred to Committee on Roads and Highways.

By Senator Cassidy: Senate Joint Resolution No. 3—Relative to hours of employment of persons on interstate carriers.

Senate Joint Resolution No. 3 read, and referred to Committee on Federal Relations.

By Senator Rochester: Senate Bill No. 132—An act to amend section 20a of the "California Real Estate Act," approved May 27, 1919, as amended, relating to reports on subdivided lands.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Joint Resolution No. 4—Relative to the Interstate Commerce Commission urging upon the railroad companies the necessity of through passenger car service between the Atlantic and Pacific coasts.

Senate Joint Resolution No. 4 read, and referred to Committee on Federal Relations.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATIONS OF THE GOVERNOR.

In accordance with article IV, section 34, of the constitution, the Governor presented the following communication recommending the passage of Assembly Bills Nos. 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January, 14, 1931.

To the Members of the Senate of the State of California.

GREETING: The Assembly will transmit to you today twenty-nine Assembly Bills numbered 78 to 106 making appropriations for major construction and equipment

at the various State hospitals, teachers colleges, correctional schools, homes for feeble-minded, and other agencies, with a section in each bill declaring the measure to be one of urgency, and providing that the several acts shall take effect immediately.

These bills were given immediate consideration by the Assembly at my request in order that the appropriations provided in the respective bills may be made available at the earliest possible moment for the purpose of relieving congestion in housing facilities at the various State institutions, schools, homes, and the like, and also providing, through the building program, which should commence immediately, a large measure of relief for unemployment.

It is my opinion that these bills constitute an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of these bills as urgency measures.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF ASSEMBLY BILLS.

Senator Breed asked for, and was granted, unanimous consent of the Senate to consider Assembly Bills Nos. 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, and 106 as they are brought before the Senate, without reference to committee.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 78—An act making an appropriation for major construction and equipment at California Institution for Women, declaring the urgency thereof and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 78—An act making an appropriation for major construction and equipment at California Institution for Women, declaring the urgency thereof and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 78 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 78.

SECOND READING OF ASSEMBLY BILL NUMBER SEVENTY-EIGHT.

Assembly Bill No. 78—An act making an appropriation for major construction and equipment at California Institution for Women,

declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—32.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 78 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 79—An act making an appropriation for major construction and equipment at the Veterans' Home of California, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 79—An act making an appropriation for major construction and equipment at the Veterans' Home of California, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 79 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Wagy, Williams, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 79.

SECOND READING OF ASSEMBLY BILL NUMBER SEVENTY-NINE.

Assembly Bill No. 79—An act making an appropriation for major construction and equipment at the Veterans' Home of California, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Wagy, Williams, and Young—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 79 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 80—An act making an appropriation for major construction and equipment for Adjutant General and California National Guard, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 80—An act making an appropriation for major construction and equipment for Adjutant General and California National Guard, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered :

By Senator Breed :

Resolved, That Assembly Bill No. 80 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schotky, Sharkey, Slater, Wagy, Williams, and Young—33.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 80.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY.

Assembly Bill No. 80—An act making an appropriation for major construction and equipment for Adjutant General and California National Guard, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schotky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 80 passed by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels,

Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 81—An act making an appropriation for major construction and equipment at State Narcotic Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 81—An act making an appropriation for major construction and equipment at State Narcotic Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 81 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 81.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-ONE.

Assembly Bill No. 81—An act making an appropriation for major construction and equipment at State Narcotic Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—36.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 81 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 82—An act making an appropriation for major construction and equipment at Fresno State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 82—An act making an appropriation for major construction and equipment at Fresno State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 82 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—35.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 82.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-TWO.

Assembly Bill No. 82—An act making an appropriation for major construction and equipment at Fresno State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 82 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 83—An act making an appropriation for major construction and equipment at California Polytechnic School, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 83—An act making an appropriation for major construction and equipment at California Polytechnic School, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 83 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is

hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—34.
NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 83.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-THREE.

Assembly Bill No. 83—An act making an appropriation for major construction and equipment at California Polytechnic School, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—33.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 83 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 84—An act making an appropriation for major construction and equipment at San Jose State Teachers

College, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 84—An act making an appropriation for major construction and equipment at San Jose State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Inman:

Resolved, That Assembly Bill No. 84 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 84.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-FOUR.

Assembly Bill No. 84—An act making an appropriation for major construction and equipment at San Jose State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: the existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 84 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 85—An act making an appropriation for major construction and equipment at California School for the Deaf at Berkeley, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 85—An act making an appropriation for major construction and equipment at California School for the Deaf at Berkeley, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 85 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 85.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-FIVE.

Assembly Bill No. 85—An act making an appropriation for major construction and equipment at California School for the Deaf at Berkeley, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State

to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 85 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 86—An act making an appropriation for major construction and equipment at San Diego State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 86—An act making an appropriation for major construction and equipment at San Diego State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 86 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 86.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-SIX.

Assembly Bill No. 86—An act making an appropriation for major construction and equipment at San Diego State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 86 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate at recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 87—An act making an appropriation for major construction and equipment at San Francisco State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 87—An act making an appropriation for major construction and equipment at San Francisco State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 87 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Cassidy, Deuel, Duval, Edwards, Fellom, Harper, Hays, Maloney, McKinley, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—23.

The Secretary announced the absentees.

Time, two o'clock and seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and twenty minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Breed.

The Secretary was directed to call the roll on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 87.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-SEVEN.

Assembly Bill No. 87—An act making an appropriation for major construction and equipment at San Francisco State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate

effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 87 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 88—An act making an appropriation for major construction and equipment at Chico State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 88—An act making an appropriation for major construction and equipment at Chico State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 88 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney,

McKinley, Mixter, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wagz, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 88.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-EIGHT.

Assembly Bill No. 88—An act making an appropriation for major construction and equipment at Chico State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wagz, Williams, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 88 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wagz, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 89—An act making an appropriation for major construction and equipment at Humboldt State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 89—An act making an appropriation for major construction and equipment at Humboldt State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 89 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 89.

SECOND READING OF ASSEMBLY BILL NUMBER EIGHTY-NINE.

Assembly Bill No. 89—An act making an appropriation for major construction and equipment at Humboldt State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 89 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 90—An act making an appropriation for major construction and equipment at Santa Barbara State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 90—An act making an appropriation for major construction and equipment at Santa Barbara State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 90 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wagz, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 90.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY.

Assembly Bill No. 90—An act making an appropriation for major construction and equipment at Santa Barbara State Teachers College, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley,

Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—29.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 90 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Williams—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 91—An act making an appropriation for major construction and equipment at Folsom State Prison, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 91—An act making an appropriation for major construction and equipment at Folsom State Prison, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 91 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—30.
NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 91.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-ONE.

Assembly Bill No. 91—An act making an appropriation for major construction and equipment at Folsom State Prison, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect.

The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 91 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 92—An act making an appropriation for major construction and equipment at San Quentin State Prison, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 92—An act making an appropriation for major construction and equipment at San Quentin State Prison, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 92 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley,

Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.
NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 92.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-TWO.

Assembly Bill No. 92—An act making an appropriation for major construction and equipment at San Quentin State Prison, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Duval, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 92 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 93—An act making an appropriation for major construction and equipment at Agnews State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 93—An act making an appropriation for major construction and equipment at Agnews State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 93 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 93.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-THREE.

Assembly Bill No. 93—An act making an appropriation for major construction and equipment at Agnews State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 93 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 94—An act making an appropriation for major construction and equipment at Mendocino State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 94—An act making an appropriation for major construction and equipment at Mendocino State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 94 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 94.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-FOUR.

Assembly Bill No. 94—An act making an appropriation for major construction and equipment at Mendocino State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley,

Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 94 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 95—An act making an appropriation for major construction and equipment at Napa State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 95—An act making an appropriation for major construction and equipment at Napa State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 95 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 95.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-FIVE.

Assembly Bill No. 95—An act making an appropriation for major construction and equipment at Napa State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning

of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Tubbs, Waggy, Williams, and Young—27.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 95 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 96—An act making an appropriation for major construction and equipment at Norwalk State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 96—An act making an appropriation for major construction and equipment at Norwalk State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 96 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McKinley, Mixter, Moran,

Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 96.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-SIX.

Assembly Bill No. 96—An act making an appropriation for major construction and equipment at Norwalk State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 96 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 97—An act making an appropriation for major construction and equipment at Patton State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 97—An act making an appropriation for major construction and equipment at Patton State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 97 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 97.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-SEVEN.

Assembly Bill No. 97—An act making an appropriation for major construction and equipment at Patton State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 97 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 98—An act making an appropriation for major construction and equipment at Stockton State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 98—An act making an appropriation for major construction and equipment at Stockton State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 98 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 98.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-EIGHT.

Assembly Bill No. 98—An act making an appropriation for major construction and equipment at Stockton State Hospital, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley,

Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 98 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 90—An act making an appropriation for major construction and equipment at State Fair Grounds, Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 99—An act making an appropriation for major construction and equipment at State Fair Grounds, Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 99 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 99.

SECOND READING OF ASSEMBLY BILL NUMBER NINETY-NINE.

Assembly Bill No. 99—An act making an appropriation for major construction and equipment at State Fair Grounds, Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 99 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 100—An act making an appropriation for major construction and equipment at Preston School of Industry, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 100—An act making an appropriation for major construction and equipment at Preston School of Industry, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 100 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer,

Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.
NOES—None.

Whereupon, the President declared the provision of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 100.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED.

Assembly Bill No. 100—An act making an appropriation for major construction and equipment at Preston School of Industry, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 100 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 101—An act making an appropriation for major construction and equipment at new State Hospital in southern California, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 101—An act making an appropriation for major construction and equipment at new State Hospital in southern California, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 101 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 101.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED ONE.

Assembly Bill No. 101—An act making an appropriation for major construction and equipment at new State Hospital in southern California, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 101 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 102—An act making an appropriation for major construction and equipment at Pacific Colony, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 102—An act making an appropriation for major construction and equipment at Pacific Colony, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 102 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

Whereupon, the President declared the provision of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 102.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED TWO.

Assembly Bill No. 102—An act making an appropriation for major construction and equipment at Pacific Colony, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 102 passed by the following vote:

Ayes—Messrs. Allen, Bond, Bond, Bond, Carson, Carson, Christian, Crutenden, Dyer, Edwards, Evans, Evans, Evans, Hays, Hays, Jones, McKeay, McKee, McKee, Moore, Nelson, Rife, Rife, Rife, Schenck, Sharkey, Slater, Tubbs, Wagner, and Young.
Nays—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

Assembly Chamber, Sacramento, January 13, 1931.

MR. PRESIDENT: I am honored to inform your honorable body that the Assembly at that time declared in a vote of yeas and nays, Assembly Bill No. 102—An act making an appropriation for major construction and equipment at Sutter State Home, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. CHINIMUS, Chief Clerk.

By A. W. ENGLEBERG, Assistant Clerk.

Assembly Bill No. 102—An act making an appropriation for major construction and equipment at Sutter State Home, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 102, entitled, "An act making an appropriation for major construction and equipment at Sutter State Home, declaring the urgency thereof, and providing that this act shall take effect immediately," be read a second and third time and passed.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

Ayes—Messrs. Allen, Bond, Bond, Bond, Bond, Carson, Christian, Crutenden, Dyer, Edwards, Evans, Evans, Evans, Hays, Hays, Jones, McKee, McKee, Moore, Nelson, Rife, Rife, Rife, Schenck, Sharkey, Slater, Tubbs, Wagner, and Young.
Nays—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 103.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED THREE.

Assembly Bill No. 103—An act making an appropriation for major construction and equipment at Sutter State Home, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The funds constituting the proposed appropriation for the construction, maintenance, and equipment of the Sutter State Home are inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom

or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 103 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Maloney was, on motion of Senator Sharkey, granted leave of absence for the remainder of this day.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 104—An act making an appropriation for major construction and equipment at Whittier State School, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 104—An act making an appropriation for major construction and equipment at Whittier State School, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 104 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley,

Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 104.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED FOUR.

Assembly Bill No. 104—An act making an appropriation for major construction and equipment at Whittier State School, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 104 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 105—An act making an appropriation for major construction and equipment at Industrial Home for the Adult Blind, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 105—An act making an appropriation for major construction and equipment at Industrial Home for the Adult Blind, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 105 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 105.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED FIVE.

Assembly Bill No. 105—An act making an appropriation for major construction and equipment at Industrial Home for the Adult Blind, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and care for the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 105 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am honored to inform your honorable body that the Assembly in this day passed, as a matter of urgency, Assembly Bill No. 106, An act making an appropriation for completing and maintaining the harbor exhibit at Exposition Park, Los Angeles, Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 106.—An act making an appropriation for completing and maintaining the harbor exhibit at Exposition Park, Los Angeles, Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 106 possesses a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provisions of that section, requiring that the bill shall be read at least a second time in each house is hereby suspended, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES.—Senators Allen, Baker, Brand, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Doran, Edwards, Evans, Felton, Harper, Hays, McKinley, Mixer, Moran, Nelson, Rife, Rochester, Schottel, Saurden, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution, suspended for the purpose of considering, at this time, Assembly Bill No. 106.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED SIX.

Assembly Bill No. 106.—An act making an appropriation for completing and maintaining the harbor exhibit at Exposition Park, Los Angeles, Department of Finance, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act possesses an appropriation for the usual current expenses of the State, it is hereby declared an urgent measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES.—Senators Allen, Baker, Brand, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Doran, Edwards, Evans, Felton, Harper, Hays, Inman, McKinley, Mixer, Moran, Nelson, Rife, Rife, Rochester, Schottel, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 106 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Deuel: Senate Bill No. 133—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment at Chico State Teachers College for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34, of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 133:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Senate Bill No. 133 makes an appropriation to meet a deficiency in the appropriation for major construction and equipment at Chico State Teachers College for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED THIRTY-THREE.

Senator Deuel asked for, and was granted, unanimous consent to take up for consideration Senate Bill No. 133.

RESOLUTION.

The following resolution was offered:

By Senator Deuel:

Resolved, That Senate Bill No. 133 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixer,

Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagz, Williams, and Young—28.
 NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 133.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED THIRTY-THREE.

Senate Bill No. 133—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment at Chico State Teachers College for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation to meet a expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagz, Williams, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 133 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wagz, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Harper: Senate Bill No. 134—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment of new college, San Diego State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34, of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 134:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Senate Bill No. 134 makes an appropriation to meet a deficiency in the appropriation for major construction and equipment of new college at San Diego State Teachers College for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted,

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED THIRTY-FOUR.

Senator Harper asked for, and was granted, unanimous consent to take up for consideration Senate Bill No. 134, without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Harper:

Resolved, That Senate Bill No. 134 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Denel, Edwards, Evans, Fellom, Harper, Hays, Inman, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 134.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED THIRTY-FOUR.

Senate Bill No. 134—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment of new college, San Diego State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 134 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, McCormack, McKinley, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Carter: Senate Bill No. 135—An act providing for the supervision and regulation of the business of transportation of property by motor vehicle as a common carrier for compensation over any public highway in this State; defining highway transportation companies and providing for the regulation and supervision thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; providing rules of evidence for the application of the provisions of this act; and repealing an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney busses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act," approved May 10, 1917, chapter 213, Statutes 1917, page 330, and all acts amendatory thereof; and repealing all acts inconsistent with the provisions of this act.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Inman: Senate Bill No. 136—An act to establish the rate of taxation of highway transportation companies as provided for in article 13, section 15, of the constitution of the State of California.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Williams: Senate Bill No. 137—An act to amend section 157 of the Code of Civil Procedure, relating to the qualifications of superior judges.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Fellom: Senate Bill No. 138—An act to add a new article to chapter 3 of title I to part III of the Political Code, to be numbered article II-A, embracing sections 360 to 360g, both inclusive, and repealing sections 363k, 363l and 363m of the Political Code, relating to a Department of Motor Vehicles.

Bill read first time, and referred to Committee on Governmental Efficiency.

ADJOURNMENT.

At four o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Thursday, January 15, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, January 15, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—33.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 14, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Swing was, on motion of Senator Sharkey, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Tom H. Louthit and Julius P. Mairthey, county surveyor of San Joaquin County.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stanford Junior High School teachers: Mrs. Ruth Dunlap and Mrs. Eva H. Francis

and pupils as follows: Westall Barkley, Martin Eiel, Ralph Danel, Lorraine Texera, Myron Dom, Bessie D. Fusco, Dolores Ward, Harry Rumph, Leland E. Siye, George Donahy, George Orvick, Irving Wilgers, Morton Wood, Felix Vining, Ralph Chaney, Irving Johnson, Bill Mulanax, Bill Orr, John Moner, Harvey Hopkins, Billy Schulze, Jess Nichols, John Arden, Geo. Vicari, Vincent Buonocore, Dominick DiMaggio, Jess Booth, George Coppin, Arthur Harris, Sam Matranga, Jr., Julius Freitas, Ned Gubel, John Weigler, Ed. Elmore, Albert Juarasin, Glen Glezar, Catherine Taniel, Mary Leonard, Gertrude Fagundes, Weston Stenach, John Meleg, Robert White, John Williams, Jack Frye, Paul Dezzo, Ernest Louisa, Bob Gubel, Wilbert Joriz, Mancoo Goraubann, Tony Romeo, Pen Raviotta, Lois Howard, Gertrude Matthias, Peggy Piers, Margaret Spiers, Hazel Ballard, Wilbur Towers, Ruth Dunlap, Harry Volkman, Tony Schiro, Alexander, A. Talber, Dolores Dillon, Dorothy Moringo, Eleanor Feeney, Dorothea Taniel, Barbara Smith, Evelyn Hermanns, Mary Ann Jean Francis, Phyllis Chapman, Loretta Havless, Jane Wilson, H. Kenneth Whitehead, Kenneth M. Hapstead, Jack Lyman, Nera Woodbury, Agatha Alphin, Katherine Pryor, Frank Tomblino, Aubrey Pritchard, Leo O. Ricketts, Carl P. Armstrong, Phyllis Faraci, Opal Remede, Marie Loeber, Flora Rogers and Sam Brushia.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator McKinley: Senate Bill No. 139—An act to repeal section 633c of the Political Code, relating to insurance adjusters.

Bill read first time, and referred to Committee on Insurance.

By Senator Slater: Senate Bill No. 140—An act to amend section 4.102 of the School Code, relating to an appropriation for vocational rehabilitation.

Bill read first time, and referred to Committee on Finance.

By Senator Crittenden: Senate Bill No. 141—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance.

Bill read first time, and referred to Committee on Conservation.

By Senator Crittenden: Senate Bill No. 142—An act to amend section 1789 of the Code of Civil Procedure, relating to sales of property by guardians.

Bill read first time, and referred to Committee on Judiciary.

By Senator Bush: Senate Bill No. 143—An act to validate all proceedings for the formation of improvement districts within irrigation

districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts, and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants, validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein, and declaring this act to be an urgency measure.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED FORTY-THREE.

Senator Bush asked for, and was granted, unanimous consent for the consideration of Senate Bill No. 143.

RESOLUTION.

The following resolution was offered:

By Senator Bush:

Resolved, That Senate Bill No. 143 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 143.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED FORTY-THREE.

Senate Bill No. 143—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts, and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants, validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein, and declaring this act to be an urgency measure.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 3. This act is hereby declared to be an urgency measure (necessary for the immediate preservation of the public peace, health and safety) within the meaning of section 1 of article IV of the constitution of the State of California, and shall

become effective immediately. The following is a statement of the facts constituting such urgency:

Many improvement districts within irrigation districts in the State of California are without funds with which to provide for the acquisition, construction, operation, maintenance and repair of improvements therein for the irrigation and drainage of lands therein. In many such improvement districts there are large acreages of land upon which many people make their homes and which with irrigation will provide large quantities of agricultural products but without irrigation are arid and unproductive. The acquisition, construction, operation, maintenance and repair of improvements provided for in said irrigation district improvement act are needed immediately for the irrigation season of 1931 and, unless the same are provided for immediately, water for irrigation purposes can not be furnished to said lands during the irrigation season of 1931 and such lands will be without water and therefore be rendered unproductive and valueless, necessitating the abandonment of homes. In many such districts, unless the contemplated improvements for the drainage of lands therein are consummated before the irrigation season of 1931, many thousands of acres of land will become alkali, water-logged and swamped and rendered permanently unfit for agricultural purposes because of the rising and high underground water table therein, as well as rendered dangerous to the public health by reason of the marshy and swamped lands created, which will be a breeding place for mosquitoes and malarious insects. Many such improvement districts have been created within irrigation districts for the purpose of rectifying the above conditions which now exist, but, by reason of minor defects in the proceedings for the formation of such districts and other minor irregularities not substantially affecting the rights of property owners within such districts, such districts are unable to proceed with the improvements and are unable to issue or negotiate warrants for the payment thereof, and it is essential that such improvements be made immediately without awaiting the delay of 90 days after the adjournment of this Legislature.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 143 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Carter was, on motion of Senator Rochester, granted leave of absence for this day.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Rich: Senate Bill No. 144—An act to amend section 5,582 of the School Code, relating to joint teachers institutes.

Bill read first time, and referred to Committee on Education.

By Senator Nelson: Senate Bill No. 145—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Riley: Senate Bill No. 146—An act to amend sections 626f and 626i of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senators Crittenden, Bush, Evans, Mixer, Schottky, Hays, McCormack, and Moran: Senate Joint Resolution No. 5—Relative to the passage of Senate Bill No. 4123, known as the Glenn Bill.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FIVE.

Senator Crittenden asked for, and was granted, unanimous consent for the consideration of Senate Joint Resolution No. 5, without reference to committee, for purpose of adoption.

SENATE JOINT RESOLUTION No. 5.

Relative to the passage of Senate Bill No. 4123, known as the Glenn Bill.

WHEREAS, There has been proposed in Congress a bill known as the "Glenn Bill" (S. 4123, Seventy-first Congress, third session), which provides that the federal government, through the Department of the Interior, shall make loans to irrigation districts, drainage districts, levee districts, levee and drainage and/or similar districts on other than federal projects; and

WHEREAS, The passage of this bill will do much to hearten the farming community of this State and aid materially in restoring their confidence; and

WHEREAS, This bill has now passed the Senate of the United States and has been reported favorably to the House of Representatives by the House Committee on Irrigation and Reclamation; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly. That the Legislature of the State of California urges the passage of this bill at the present session of Congress, and that the President of the United States be requested to attach his signature thereto so that it may become a federal law; and be it further

Resolved. That the Secretary of the Senate be and is hereby directed to telegraph copies of this resolution to the President of the United States, the Speaker of the House of Representatives and Honorable Bertrand H. Snell, chairman of the Rules Committee of the House of Representatives, and to mail copies of this resolution to the Senators and Representatives of California in the Congress of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 5 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Duell, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 5 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Sharkey: Senate Bill No. 147—An act to validate the organization and existence of municipal improvement districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Sharkey: Senate Bill No. 148—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities

where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Sharkey: Senate Bill No. 149—An act to validate the organization and existence of municipal utility districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Sharkey: Senate Bill No. 150—An act confirming and validating the formation or organization and existence of reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Sharkey: Senate Bill No. 151—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Sharkey: Senate Bill No. 152—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 153—An act validating the formation, organization and existence of sanitary districts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 154—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Sharkey: Senate Bill No. 155—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 156—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 157—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings

relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read first time, and referred to Committee on Irrigation.

By Senator Sharkey: Senate Bill No. 158—An act confirming and validating the formation or organization and existence of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Senator Evans: Senate Bill No. 159—An act relating to certificates of registration of inspectors and sanitary officers as "registered sanitarians"; empowering the State Board of Public Health to certify approved schools, conduct examinations, and to issue or deny "registered sanitarian" certificates; and providing penalties for violation of this act.

Bill read first time, and referred to Committee on Governmental Efficiency.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 109:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Senate Bill No. 109 makes an appropriation to meet a deficiency in the appropriation for minor construction, improvements, and equipment at San Diego State Teachers College for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED NINE.

Senator Harper asked for, and was granted, unanimous consent for the consideration of Senate Bill No. 109.

RESOLUTION.

The following resolution was offered:

By Senator Harper:

Resolved, That Senate Bill No. 109 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran,

Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.
 NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 109.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED NINE.

Senate Bill No. 109—An act making an appropriation to meet a deficiency in the appropriation for minor construction, improvements, and equipment of new college, San Diego State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1, article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Bill read third time

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 109 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator McCormack: Senate Bill No. 160—An act to amend section 3477 of the Political Code, relating to crediting purchasers, forwarding statements, and paying over moneys by registers of reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Rochester: Senate Bill No. 161—An act to add a new section to the Civil Code, to be known as section 3045, covering the lien of an attorney at law.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 162—An act to amend section 1468 of the Penal Code, relating to a statement on appeal.

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Bill No. 163—An act to amend section 737hh of the Political Code, fixing the salaries of judges of the superior court of Sacramento County.

Bill read first time, and referred to Committee on Governmental Efficiency.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 108—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment of new college, Humboldt State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 108:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 108 makes an appropriation to meet a deficiency in the appropriation for major construction and equipment at Humboldt State Teachers College for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted,

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE HUNDRED EIGHT.

Senator Breed asked for, and was granted, unanimous consent to take up for consideration Assembly Bill No. 108, without reference to committee.

Assembly Bill No. 108—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment at Humboldt State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 108 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is

hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassiday, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Harlan, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 108.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED EIGHT.

Assembly Bill No. 108—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment of a new college, Humboldt State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

AMENDMENT FROM THE FLOOR.

During the second reading of the bill the following amendment was offered, and its adoption moved by Senator Breed:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of section 1, and insert in lieu thereof the following:

SECTION 1. The sum of thirty thousand dollars (\$30,000) is hereby appropriated out of any money in the State treasury, not otherwise appropriated, to meet a deficiency in the appropriation for major construction and equipment, Humboldt State Teachers College, for the eighty-first and eighty-second fiscal years. The sums from which have been paid claims for major construction and equipment of said college in excess of the original appropriation for major construction and equipment of said college for the eighty-first and eighty-second fiscal years shall be reimbursed out of the money hereby appropriated in the amount of said excess so paid from said funds."

Amendment adopted.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassiday, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 108 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Matoney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered to print, and transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 107—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment at San Jose State Teachers College for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILLS.

Senator Breed asked for, and was granted, unanimous consent of the Senate to consider Assembly Bills Nos. 107, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, and 122, as they are brought before the Senate, without reference to committee.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 107:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 107 makes an appropriation to meet a deficiency in the appropriation for major construction and equipment at the San Jose State Teachers College for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 107—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment at San Jose State Teachers College for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 107 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section

requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 107.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED SEVEN.

Assembly Bill No. 107—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment at San Jose State Teachers College for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 107 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 100—An act making an appropriation to meet a deficiency in the appropriation for support of the Department of Public Works for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 109:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 109 makes an appropriation to meet a deficiency in the appropriation for support of the Department of Public Works for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted,

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 109.—An act making an appropriation to meet a deficiency in the appropriation for support of the Department of Public works for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 109 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 109.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED NINE.

Assembly Bill No. 109.—An act making an appropriation to meet a deficiency in the appropriation for support of the Department of Public Works for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tabbs, Waggy, and Young—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 109 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tabbs, Waggy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 110—An act making an appropriation to meet a deficiency in the appropriation for support of Secretary of State for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 110:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 110 makes an appropriation to meet a deficiency in the appropriation for the support of the Secretary of State for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted,

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 110—An act making an appropriation to meet a deficiency in the appropriation for support of Secretary of State for

the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 110 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 110.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED TEN.

Assembly Bill No. 110—An act making an appropriation to meet a deficiency in the appropriation for support of Secretary of State for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 110 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 111—An act making an appropriation to meet the deficiency in the appropriation for support of Fuel Tax Division, State Board of Equalization, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGLEKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication, recommending the passage of Assembly Bill No. 111:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 111 makes an appropriation to meet a deficiency in the appropriation for support of the Fuel Tax Division, Board of Equalization, for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34 of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 111—An act making an appropriation to meet the deficiency in the appropriation for support of Fuel Tax Division, State Board of Equalization, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 111 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Felton, Hutton, Hays, Immen, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Polkott, Riley, Rochester, Schottky, Sharkey, Slater, Tabbs, Wagy, Williams, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 111.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED ELEVEN.

Assembly Bill No. 111—An act making an appropriation to meet the deficiency in the appropriation for support of Fuel Tax Division, State Board of Equalization, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Denel, Duval, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 111 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Denel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 112—An act making appropriation to meet a deficiency in an act entitled "An act to provide for the licensing and bonding of dealers engaged in handling any deciduous fruit, including grapes and dates, produced by another in the State of California, making an appropriation therefor, and declaring the same an urgency measure," approved May 20, 1929, and declaring the urgency thereof and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 112:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 112 makes an appropriation to meet a deficiency in an act entitled "An act to provide for the licensing and bonding of dealers engaged in handling any deciduous fruit, including grapes and dates, produced by another in the State of California, making an appropriation therefor, and declaring the same to be an urgency measure," approved May 20, 1929.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH JR., Governor of California.

Assembly Bill No. 112—An act making appropriation to meet a deficiency in an act entitled "An act to provide for the licensing and bonding of dealers engaged in handling any deciduous fruit, including grapes and dates, produced by another in the State of California, making an appropriation therefor, and declaring the same an urgency measure," approved May 20, 1929, and declaring the urgency thereof and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 112 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young 30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 112.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED TWELVE.

Assembly Bill No. 112—An act making appropriation to meet a deficiency in an act entitled "An act to provide for the licensing and bonding of dealers engaged in handling any deciduous fruit, including grapes and dates, produced by another in the State of California, making an appropriation therefor, and declaring the same an urgency measure," approved May 20, 1929, and declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 112 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 113—An act making appropriation to meet a deficiency in the appropriation for date scale eradication, State Department of Agriculture, eighty-first and eighty-second fiscal years, declaring the urgency thereof and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 113:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 113 makes an appropriation to meet a deficiency in the appropriation for date scale eradication, State Department of Agriculture, for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 113—An act making an appropriation to meet a deficiency in the appropriation for date scale eradication, State Department of Agriculture, eighty-first and eighty-second fiscal years, declaring the urgency thereof and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 113 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section

requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 113.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED THIRTEEN.

Assembly Bill No. 113—An act making an appropriation to meet a deficiency in the appropriation for date scale eradication, State Department of Agriculture, eighty-first and eighty-second fiscal years, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 113 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 114—An act making an appropriation to meet the cost of preparing and printing a report of the exploration, investigation, and preparation of preliminary plans in furtherance of the coordinated plan for the conservation, development, and utilization of the water resources of

California under the provisions of chapter 832, Statutes of 1929, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34, of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 114:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 114 makes an appropriation to meet the cost of preparing and printing a report of the exploration, investigation, and preparation of preliminary plans in furtherance of the coordinated plan for the conservation, development, and utilization of the water resources of California under the provisions of chapter 832, Statutes of 1929.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 114—An act making an appropriation to meet the cost of preparing and printing a report of the exploration, investigation, and preparation of preliminary plans in furtherance of the coordinated plan for the conservation, development, and utilization of the water resources of California under the provisions of chapter 832, Statutes of 1929, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 114 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Young—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 114.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED FOURTEEN.

Assembly Bill No. 114—An act making an appropriation to meet the cost of preparing and printing a report of the exploration, investigation, and preparation of preliminary plans in furtherance of the

coordinated plan for the conservation, development, and utilization of the water resources of California under the provisions of chapter 832, Statutes of 1929, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 114 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

LEAVE OF ABSENCE.

Senator Christian was, on motion of Senator Cleveland, granted leave of absence for this day.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 115—An act making an appropriation to meet a deficiency in the appropriation for expenses in connection with survey and acquisition of State park sites, Department of Natural Resources, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 115:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 115 makes an appropriation to meet a deficiency in the appropriation for expenses in connection with survey and acquisition of State park sites,

Department of Natural Resources, for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 115—An act making an appropriation to meet a deficiency in the appropriation for expenses in connection with survey and acquisition of State park sites, Department of Natural Resources, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 115 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Young—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 115.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED FIFTEEN.

Assembly Bill No. 115—An act making an appropriation to meet a deficiency in the appropriation for expenses in connection with survey and acquisition of State park sites, Department of Natural Resources, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 115 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Imman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagye, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 116. An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 116:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 116 makes an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 116.—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 116 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Imman, Jones, Maloney, McCor-

mack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—31.
NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 116.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED SIXTEEN.

Assembly Bill No. 116.—An act making an appropriation to meet a deficiency in the appropriation for legislative printing, binding, etc., for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—29.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 116 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 117—An act making an appropriation to meet a deficiency in the appropriation for the administration of an act entitled "An act to provide for the protection, welfare, and assistance of aged persons in need and resident in the State of California, providing the method thereof, making appropriation therefor, and prescribing the penalties for the violation of the provisions of this act," approved May 28, 1929, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 117:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 117 makes an appropriation to meet a deficiency in the appropriation for the administration of an act entitled "An act to provide for the protection, welfare, and assistance of aged persons in need and resident in the State of California, providing the method therefor, making an appropriation therefor, and prescribing the penalties for the violation of the provisions of this act," approved May 28, 1929, for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 117—An act making an appropriation to meet a deficiency in the appropriation for the administration of an act entitled "An act to provide for the protection, welfare, and assistance of aged persons in need and resident in the State of California, providing the method therefor, making appropriation therefor, and prescribing the penalties for the violation of the provisions of this act," approved May 28, 1929, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 117 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 117.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED SEVENTEEN.

Assembly Bill No. 117—An act making an appropriation to meet a deficiency in the appropriation for the administration of an act entitled "An act to provide for the protection, welfare, and assistance of aged persons in need and resident in the State of California, providing the

method therefor, making appropriation therefor, and prescribing the penalties for the violation of the provisions of this act," approved May 28, 1929, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cleveland, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Young—28.
NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 117 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cleveland, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Young—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 118—An act making an appropriation to meet a deficiency in the appropriation for the support of the Department of Agriculture for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 118:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 118 makes an appropriation to meet a deficiency in the appropriation for support of the Department of Agriculture for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the

meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 118—An act making an appropriation to meet a deficiency in the appropriation for the support of the Department of Agriculture for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 118 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 118.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED EIGHTEEN.

Assembly Bill No. 118—An act making an appropriation to meet a deficiency in the appropriation for the support of the Department of Agriculture for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Waggy—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 118 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley,

Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Young—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read :

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 122—An act making an appropriation to meet a deficiency in the appropriation for printing constitutional amendments and sponsors' pamphlets, Secretary of State's office, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read :

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication, recommending the passage of Assembly Bill No. 122 :

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 122 makes an appropriation to meet a deficiency in the appropriation for printing constitutional amendments and sponsors' pamphlets, Secretary of State's office, for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 122—An act making an appropriation to meet a deficiency in the appropriation for printing constitutional amendments and sponsors' pamphlets, Secretary of State's office, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered :

By Senator Breed :

Resolved, That Assembly Bill No. 122 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley,

Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.
NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 122.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED TWENTY-TWO.

Assembly Bill No. 122—An act making an appropriation to meet a deficiency in the appropriation for printing constitutional amendments and sponsors' pamphlets, Secretary of State's office, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Baker, Breed, Cassidy, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 122 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Rochester: Senate Bill No. 164—An act to add a new section, to be numbered 784a, to the Penal Code of the State of California providing for and relating to the jurisdiction of criminal actions for slander and in what county or counties such criminal actions shall be commenced and tried.

Bill read first time, and referred to Committee on Judiciary.

By Senators Harper, Mixer, McKinley, Rochester, Edwards and Duval: Senate Bill No. 165—An act to limit the amount of special assessments for public improvements and acquisitions of property for public purposes; to provide for a preliminary investigation, report and hearing upon proposed public improvements and acquisitions of property for public purposes where the cost of such improvements or acquisitions is to be paid in whole or part by special assessments; to provide a basis for valuation of property for the purpose of estab-

lishing a special assessment limitation, and to authorize the payment of a part of the cost of such public improvements and acquisitions of property from any available public fund where a part of such cost is paid by special assessment on benefited property.

Bill read first time, and referred to Committee on Municipal Corporations.

ADJOURNMENT.

At twelve o'clock and two minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Friday, January 16, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Friday, January 16, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—32.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 15, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Ingels was, on motion of Senator Rich, granted leave of absence for this day.

Senator Christian was, on motion of Senator Baker, granted leave of absence for this day.

Senator Swing was, on motion of Senator Sharkey, granted leave of absence for this day.

Senator Carter was, on motion of Senator Rochester, granted leave of absence for this day.

Senator Bush was, on motion of Senator Deuel, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Riley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Geo. C. Delury, J. A. Mattley, Archie Farrington and R. C. Currie.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Albert Silverman of Los Angeles.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Walter F. Jacobsen of Oakland.

On request of Senator Young, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. S. Seager, director, division of narcotics of Los Angeles Police Department, and Robt. H. Dundas, assistant chief, narcotic division.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 3—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

ARTHUR A. O'HINIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 3 referred to Committee on Rules.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 188—An act making an appropriation for the construction and equipment of an addition to the State Printing Plant, declaring the urgency thereof, and providing that this act shall take effect immediately.

Also: Assembly Bill No. 189—An act making an appropriation to meet a deficiency in the appropriation for flood control and rectification of river channels in cooperation with other agencies, special irrigation and flood control studies, and cooperative work with the federal government, Department of Public Works, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. O'HINIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILLS NUMBERS ONE HUNDRED EIGHTY-EIGHT AND ONE HUNDRED EIGHTY-NINE.

Senator Breed asked for, and was granted, unanimous consent for the consideration of Assembly Bills Nos. 188 and 189, without reference to committee.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 188:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 14, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 188 makes an appropriation for the construction and equipment of an addition to the State Printing Plant.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 188—An act making an appropriation for the construction and equipment of an addition to the State Printing Plant, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 188 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 188.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED EIGHTY-EIGHT.

Assembly Bill No. 188—An act making an appropriation for the construction and equipment of an addition to the State Printing Plant, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the preservation of the public peace, health and safety, within the meaning of section 1 of article IV of the constitution, and therefore shall go into immediate effect. The facts constituting such necessity are as follows: The building space available to the Bureau of Printing, Department of Finance, is inadequate to house and protect State property, and it is imperative that the construction provided for in this act be commenced immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 188 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McCormack, McKinley,

Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 189:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
 SACRAMENTO, January 13, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 189 makes an appropriation to meet a deficiency in the appropriation for flood control and rectification of river channels in cooperation with other agencies, special irrigation and flood control studies, and cooperative work with the federal government, Department of Public Works, for the eighty-first and eighty-second fiscal years.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted,

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 189—An act making an appropriation to meet a deficiency in the appropriation for flood control and rectification of river channels in cooperation with other agencies, special irrigation and flood control studies, and cooperative work with the federal government, Department of Public Works, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 189 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Follom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—39.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 189.

SECOND READING OF ASSEMBLY BILL NUMBER ONE HUNDRED EIGHTY NINE.

Assembly Bill No. 189—An act making an appropriation to meet a deficiency in the appropriation for flood control and rectification of

river channels in cooperation with other agencies, special irrigation and flood control studies, and cooperative work with the federal government, Department of Public Works, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 189 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 106—An act to validate bonds of school districts, high school districts, and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of the same, the act to take effect immediately.

Also: Senate Bill No. 109—An act making an appropriation to meet a deficiency in the appropriation for minor construction, improvements, and equipment of new college, San Diego State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Also: Senate Bill No. 133—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment at Chico State Teachers College for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Also: Senate Bill No. 134—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment of new college, San Diego State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 106, 109, 133 and 134 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 15, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 143—An act to validate

all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement districts, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts, and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants, validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein, and declaring this act to be an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Senate Bill No. 143 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 16, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 4—Relative to the reimbursement of the State of California for moneys actually expended in aid of the government of the United States during the war between the states—has had the same under consideration, and respectfully reports the same back, without recommendation.

Committee membership—5; committee vote: Ayes—4; absent—1.

SCHOTTKY, Chairman.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOUR.

Senator Schottky asked for, and was granted, unanimous consent for the consideration of Assembly Joint Resolution No. 4, for purpose of adoption.

MOTION TO POSTPONE CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOUR.

Senator Slater moved that the consideration of Assembly Joint Resolution No. 4 be postponed until Monday, January 19, and that the Senate be furnished with a copy of contract and all essentials before considering Assembly Joint Resolution No. 4.

Motion carried, and such was the order.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator McKinley: Senate Bill No. 166—An act to amend section 470 of the Civil Code, relating to the use of streets and public land or water within incorporated cities or towns.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator McKinley: Senate Bill No. 167—An act to amend section 498 of the Civil Code, relating to construction of street railway tracks.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Moran: Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 16 of article XIII thereof, relating to bank and corporation taxes.

Senate Constitutional Amendment No. 7 read, and referred to Committee on Constitutional Amendments.

By Senator Cleveland: Senate Concurrent Resolution No. 11—Relative to reports of the department encampment and the annual conven-

tion of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively.

Senate Concurrent Resolution No. 11 read, and referred to Committee on Contingent Expenses.

By Senator Cleveland: Senate Concurrent Resolution No. 12—Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California.

Senate Concurrent Resolution No. 12 read, and referred to Committee on Contingent Expenses.

By Senator McKinley: Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to congressional districts.

Bill read first time, and referred to Committee on Reapportionment.

By Senator McKinley: Senate Bill No. 169—An act to amend section 78 of the Political Code, relating to senatorial and assembly districts.

Bill read first time, and referred to Committee on Reapportionment.

By Senator Edwards: Senate Bill No. 170—An act to amend sections 1, 2 and 3 of, and to add a new section to be numbered 4½ to chapter 101, Statutes of 1907, entitled "An act to prevent the waste and flow of water from artesian wells, and prescribing penalties therefor, and defining waste and artesian wells," approved March 6, 1907, as amended, relating to prevention of waste of water from artesian wells.

Bill read first time, and referred to Committee on Conservation.

By Senator Edwards: Senate Bill No. 171—An act to add a new section to the Penal Code, to be numbered 636b, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Schottky: Senate Bill No. 172—An act to amend the California Irrigation District Act by adding a new section thereto to be numbered 47a, relating to partial redemption of land sold for delinquent assessment.

Bill read first time, and referred to Committee on Irrigation.

By Senator Edwards: Senate Bill No. 173—An act to amend section 1125 of the Code of Civil Procedure, relating to costs in election contests.

Bill read first time, and referred to Committee on Elections.

By Senator Pedrotti: Senate Bill No. 174—An act providing employment for inmates of State prisons and reformatories; providing for appointment and compensation of a Superintendent of Prison Industries and providing rules and regulations for the carrying out of the provisions thereof.

Bill read first time, and referred to Committee on Prisons and Reformatories.

By Senator Fellom: Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Com-

panies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Fellom: Senate Bill No. 176—An act to amend section 117 of the Political Code, relating to congressional districts.

Bill read first time, and referred to Committee on Reapportionment.

By Senator Fellom: Senate Bill No. 177—An act to add a new section, to be numbered section 11b, to an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, requiring licensed employment agencies to print or publish the maximum fees which they charge for positions on all their advertising matter, including introduction cards, bulletins, blotters, throw-aways, newspaper and other advertising.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Baker: Senate Bill No. 178—An act to amend section 1445 of the Code of Civil Procedure, relating to the inventory and appraisement of the estate of a decedent.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 179—An act to amend section 2322a24 of the Political Code, relating to the county horticultural commissioner, his deputies, inspectors and clerks in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Maloney: Senate Bill No. 180—An act making an appropriation to pay the claim of F. A. Gries against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Hays: Senate Bill No. 181—An act to amend sections 52 and 67 of the California Irrigation District Act, relating to the redemption or purchase of bonds and payment of interest, and to the creation of funds.

Bill read first time, and referred to Committee on Irrigation.

By Senator Rochester: Senate Bill No. 182—An act to authorize the counties of the State of California to establish systems for the retirement and pension of county and township officers and employees and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.

Bill read first time, and referred to Committee on County Government.

By Senator Rochester: Senate Bill No. 183—An act to add a new section to the Civil Code, to be numbered 356a, relating to the employment of attorneys by corporations and the practice of law by corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 184—An act to amend section 1279 and 1298 of the Penal Code, relating to bail.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Rochester: Senate Bill No. 185—An act to amend section 9 of the "State Bar Act," approved March 31, 1927, as amended, relating to the Board of Governors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 186—An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways and roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Rochester: Senate Bill No. 187—An act to fix the fees to be paid to referees, appraisers or commissioners appointed by the court in condemnation proceedings.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 188—An act to provide for the payment of attorney fees in civil actions brought under the provisions of the Usury Law.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 189—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 190—An act to amend sections 657, 658, 659, 660 and 956a of the Code of Civil Procedure, relating to a motion for a new trial and the perfecting of an appeal.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crittenden: Senate Bill No. 191—An act creating the California Districts Securities Commission, and defining its duties and powers, and relating to bonds of irrigation districts, reclamation districts and water conservation districts, providing under what circum-

stances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized, and providing for the administration of insolvent districts, making an appropriation, and repealing an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, and as amended.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crittenden: Senate Bill No. 192—An act creating the State irrigation and reclamation bond fund, providing how the money in such fund may be used, and making an appropriation therefor.

Bill read first time, and referred to Committee on Irrigation.

By Senator Rich: Senate Bill No. 193—An act to amend section 4270 of the Political Code of the State of California, relating to salaries of officers and employees in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator Young: Senate Bill No. 194—An act to amend section 6 of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, prescribing a penalty for violation of parole.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Young: Senate Bill No. 195—An act to amend section 16a of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, relating to escapes from a State narcotic hospital.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Young: Senate Bill No. 196—An act to add new sections numbered 5b and 5c to and to amend section 10 of the "Narcotic Rehabilitation Act," relating to commitment, transfer, discharge or return of patients to or from the State Narcotic Hospital.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Mixer: Senate Bill No. 197—An act to provide for preserving and making available for public use as a permanent record all data, records, maps and reports made or collected pursuant to water resources investigations and studies heretofore made and authorized under chapter 889, Statutes of 1921; chapters 476 and 477, Statutes of

1925; chapter 809, Statutes of 1927; and chapters 656 and 832, Statutes of 1929, and making an appropriation therefor.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Mixter: Senate Bill No. 198—An act to repeal section 32½ of the California Irrigation District Act, relating to election on sale of bonds at less than par.

Bill read first time, and referred to Committee on Irrigation.

By Senator Mixter: Senate Bill No. 199—An act repealing chapter 289, Statutes of 1919, entitled "An act to authorize irrigation districts to refund outstanding bonded indebtedness," approved May 25, 1919.

Bill read first time, and referred to Committee on Irrigation.

By Senator Mixter: Senate Bill No. 200—An act to repeal chapter 254, Statutes of 1897, entitled "An act to provide for the issue and sale or exchange of funding bonds of irrigation districts organized under and in pursuance of an act of the Legislature of the State of California entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, as amended.

Bill read first time, and referred to Committee on Irrigation.

By Senator Mixter: Senate Bill No. 201—An act to amend section 30a of the California Irrigation District Act, relating to reports submitted to the California Bond Certification Commission.

Bill read first time, and referred to Committee on Irrigation.

By Senator Mixter: Senate Bill No. 202—An act to amend section 39 of the California Irrigation District Act, relating to the levying of assessments.

Bill read first time, and referred to Committee on Irrigation.

By Senator Mixter: Senate Bill No. 203—An act to amend section 6 of the California Irrigation District Act, relating to election on organization.

Bill read first time, and referred to Committee on Irrigation.

By Senator Crittenden: Senate Bill No. 204—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Rich: Senate Bill No. 205—An act providing for the building of a causeway across the Tisdale By-pass in Sutter County, State of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Rich: Senate Bill No. 206—An act to amend section 2 of chapter 774, Statutes of 1927, entitled the "Sacramento and San

Joaquin Drainage District Refunding Act," approved May 26, 1927, by amending section 2 thereof, relating to the operation and maintenance of certain flood control works.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Breed: Senate Concurrent Resolution No. 13—Relative to joint rules of Senate and Assembly.

NOTICE OF CONSIDERING JOINT RULES.

Senator Breed gave notice that he would move the adoption of Senate Concurrent Resolution No. 13, containing the joint rules of the Senate and Assembly, on Monday, January 19, 1931.

RECESS.

On motion of Senator Breed, at eleven o'clock and fifteen minutes a.m., the President of the Senate declared recess until eleven o'clock and thirty minutes a.m.

RECONVENED.

At eleven o'clock and thirty minutes a.m., the Senate reconvened. Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Harper: Senate Bill No. 207—An act to amend sections 3, 4 and 5 of chapter 343 of the Statutes of 1921 entitled "An act to provide for leasing kelp beds in the waters of the State of California by the Board of Fish and Game Commissioners" and to repeal section 7 thereof.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Edwards: Senate Bill No. 208—An act to amend section 89 of the California Vehicle Act, approved May 30, 1923, as amended, relating to the tire equipment of vehicles operated upon the public highways.

Bill read first time, and referred to Committee on Motor Vehicles.

ADJOURNMENT.

At eleven o'clock and forty-eight minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, January 19, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Monday, January 19, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman J. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, January 16, 1931, the further reading was dispensed with, on motion of Senator Slater.

QUESTION OF PERSONAL PRIVILEGE.

Senator Rochester arose to a question of personal privilege and addressed the Senate as follows:

SACRAMENTO, CALIFORNIA, January 19, 1931.

PERSONAL PRIVILEGE STATEMENT.

Because there appears to be a misapprehension in the public mind in and about Sacramento concerning my proposal to the Governor of a candidate for a municipal court appointment in Los Angeles, I wish to spread this statement upon the Senate Journal.

On Monday, January 12, at about eleven o'clock and fifteen minutes a.m., I suggested the name of an applicant for one of the appointments, to Governor Rolph in his office. Governor Rolph called in one of his secretaries, Mr. Frank Cochran, and directed him to bring in the file upon this applicant. Mr. Cochran stated that the files were not segregated.

The Governor then told Mr. Cochran and myself to arrange a time when we together might go over the files in the matter. This was agreed upon as eight o'clock p.m., Tuesday, January 13.

When I arrived at the Governor's office that night only Mr. William A. Smith, another secretary, was present. Shortly thereafter Mr. Wickersham, Mr. Bevans and Mr. Cole came in, and we conversed until nine o'clock p.m., when Mr. Cochran, unavoidably detained, arrived.

Then, in pursuance of the Governor's directions, we went through the files and segregated them, as numerous persons who were in and out of the office can declare.

The work was finished about eleven o'clock and thirty minutes p.m., at which time I left, leaving Mr. Cochran in possession of all papers.

The next day, Wednesday, January 14, the Governor was disturbed to learn that there was a "leak" in his office on the matter of judicial appointments. It might be of interest to the Governor to learn that that day, January 14, the Los Angeles Herald carried an article from Sacramento on his proposed judicial appointments, including the name of Frank M. Smith, later named as an appointee. There were no papers in any of the files I examined concerning Mr. Smith.

From the above account it will be obvious that the rumor that I "rifled the Governor's files" is a base untruth and an unwarranted falsehood. I hereby defy anyone, the Governor included, to adduce testimony other than that I examined the files in the presence of the Governor's secretaries at the direction of the Governor himself, and pursuant to his request of Monday, January 12.

GEORGE W. ROCHESTER, Senator Thirty-seventh District.

LEAVES OF ABSENCE.

Senator Pedrotti was, on motion of Senator Mixer, granted leave of absence for this day.

Senator Rich was, on motion of Senator Ingels, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. H. W. Crozier of San Francisco, and Attorney Leo Marcallo of Richmond.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John M. McNamara of San Francisco.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John S. Fletcher, member of New Zealand parliament.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Henry Gibbs of San Francisco.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to members of California Auto Camp Association, as follows: Bearl Sprott, Geo. Young and J. Ryecraft, of Los Angeles; R. D. Zimmerman and S. M. Hufstadtler, of Bakersfield; B. F. McCormick of Delano, C. P. Dresser of Fresno, C. E. Jones of Merced, Geo. E. Anderson and C. E. Greenamyer of Mariposa, F. Workman of Pacific Grove, Geo. Ingle of Modesto and J. W. Ventriss of Sacramento; and R. W. Kearney, chief; Ed Brown and J. G. James, assistant chiefs of Division of Housing and Sanitation.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Granfield, director of State Labor Agencies, and L. A. Taylor.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Captain Thomas Virgil Butts of Santa Rosa.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 6—Relative to the relief of Palo Verde Valley.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SIX.

Senator Edwards asked for, and was granted, unanimous consent for the consideration of Assembly Joint Resolution No. 6, without reference to committee, for purpose of adoption.

ASSEMBLY JOINT RESOLUTION No. 6.

Relative to the relief of Palo Verde Valley.

WHEREAS, There is now before the Congress of the United States of America a bill providing for the reimbursement of money spent on river protection in Palo Verde Valley; and

WHEREAS, Agricultural and economic conditions in said valley are critical and relief is necessary; and

WHEREAS, It appears that unless federal aid is extended, said valley faces inevitable disaster and ruin, with serious and widespread consequences; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States of America be hereby memorialized and earnestly urged to enact said bill, and that the President, the Vice President and the Secretary of the Interior be likewise memorialized and urged to support said bill; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit this resolution forthwith to the Senators and Representatives from this State in the Congress of the United States, and to the President, the Vice President, and the Secretary of the Interior of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 6 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 6 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 5—Relative to the passage of Senate Bill No. 4123, known as the Glenn Bill.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Senate Joint Resolution No. 5 ordered to enrollment.

RE-REFERENCE OF SENATE BILL.

On motion of Senator Nelson, Senate Bill No. 69 was ordered withdrawn from Committee on Revenue and Taxation, and re-referred to Committee on Drainage, Swamp and Overflowed Lands.

RESOLUTIONS.

The following resolutions were offered:

By Senator Jones:

On this day, David Starr Jordan celebrates his eightieth birthday. Coming to California forty years ago to lay the foundations and shape the destiny of the newly founded Stanford University, he has been for four decades an authority in the educational and scientific world.

Not alone as educator and scientist, but as author, poet, "prophet of democracy," and humanitarian he has been a leader in many fields.

His influence has been international. With courage that dared to face popular opinion at one time adverse, he has exposed the frightful cost and wreckage of war, and has labored always for the substitution of reason in the place of force. Today California honors him as its "Grand Old Man," whose beneficent influence, like the warm rays of sunshine, cheers all upon whom it falls; therefore

Resolved, That the Senate of the State of California, with affection for this great Californian, and with pride in his achievements for the welfare of his fellow-men, extends its felicitations to Dr. Jordan upon this day, and wishes for him renewed health and many more happy and useful years.

Resolution read, and on motion of Senator Jones, adopted.

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the contingent fund of the Senate in the sum of \$200 in favor of the Secretary of the Senate, and the Treasurer is hereby directed to pay the same, the same being for postage for the Senate.

INGELS, Chairman.
RILEY.
MALONEY.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Swing, Wagy, Williams, and Young—29.

NOES—None.

23—85752

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Inman: Senate Joint Resolution No. 6—Relative to memorializing the Congress of the United States to designate "The Star-Spangled Banner" as the national anthem of the United States of America.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SIX.

Senator Inman asked for, and was granted, unanimous consent for the consideration of Senate Joint Resolution No. 6, without reference to committee, for purpose of adoption.

SENATE JOINT RESOLUTION No. 6

Relative to memorializing the Congress of the United States to designate "The Star-Spangled Banner" as the national anthem of the United States of America.

WHEREAS, During the bombardment of Fort McHenry during the War of 1812, Francis Scott Key while on the deck of one of the attacking British warships was inspired to write a spirited epic poem, and

WHEREAS, That poem written by Francis Scott Key, entitled "The Star-Spangled Banner," with music by John Stafford Smith, typifies the expression of national spirit of the American people and of these United States; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the President, the Secretary of the Treasury and the Congress of the United States be hereby memorialized and urged to designate that composition consisting of the words and music known as "The Star-Spangled Banner," be designated the national anthem of the United States of America.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 6 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Deuel, Duval, Edwards, Evans, Fellem, Harper, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Swing, Waggy, Williams, and Young—29.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 6 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Rochester: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California to amend the constitution of said State by amending section 7½ of article XI, relating to charters of counties and the election of officers thereunder.

Referred to Committee on Constitutional Amendments.

By Senator Rochester: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 8½ of article XI of the constitution of said State, relating to city charters and to the mode of elections held thereunder.

Referred to Committee on Constitutional Amendments.

By Senator Swing: Senate Constitutional Amendment No. 10—A resolution proposing to transfer the cost and expense of maintaining the public schools to the State and authorizing the Legislature to provide therefor, by proposing to the people of the State of California an amendment to the constitution of said State by adding a new section to

article IX of said constitution, which new section shall be known as section 6a.

Referred to Committee on Constitutional Amendments.

By Senator Rochester: Senate Bill No. 209—An act to amend sections 204, 204a, 204b, and 204d of the Code of Civil Procedure, relating to the selecting of jurors; and to repeal section 204c of the Code of Civil Procedure, relating to the secretary of judges as jury commissioner.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 210—An act to amend sections 5, 7 and 12 of chapter 690, Statutes of 1913, entitled the Direct Primary Law, as amended, prohibiting persons becoming candidates of more than one party.

Bill read first time, and referred to Committee on Elections.

By Senator Rochester: Senate Bill No. 211—An act to amend section 7, chapter 728, Statutes 1927, and to add new sections to be numbered 7a, 7b; to an act entitled "An act authorizing the establishment of municipal court," prescribing the constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such court. Their terms of office, qualifications and compensation and for the selection of jurors therein, approved May 23, 1925, as amended, relating to the organization of municipal court. In cities or cities and counties of the first and one-half class, to provide for the number of judges, clerks, marshals, and other officers and attaches of such municipal court and their deputies, to fix the compensation therefor. Approved by the Governor, June 9, 1929; in effect August 14, 1929.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Rochester: Senate Bill No. 212—An act to amend section 1535 of the Probate Code, relating to sale of property of wards.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 213—An act to amend section 851 of the Probate Code, relating to execution of conveyances by executors or administrators.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 214—An act to amend section 605 of the Probate Code, relating to the appointment of appraisers.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 215—An act to amend section 168 of the Civil Code, relating to the liability of the wife's earnings for the debts of the husband.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 216—An act to add section 596c to the Political Code, relating to fire losses covered by insurance.

Bill read first time, and referred to Committee on Insurance.

By Senator Rochester: Senate Bill No. 217—An act to amend section 633*e* of the Political Code, relating to insurance adjusters.

Bill read first time, and referred to Committee on Insurance.

By Senator Rochester: Senate Bill No. 218—An act to amend section 1 of, and to add section 12*a* to chapter 267, Statutes of 1909, entitled "An act to establish a standard form of fire insurance policy and to prevent variations therefrom, excepting under certain stated conditions and restrictions," approved March 18, 1909, relating to appraisers and appraisements under fire insurance policies.

Bill read first time, and referred to Committee on Insurance.

By Senator Allen: Senate Bill No. 219—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Allen: Senate Bill No. 220 --An act to amend section 6 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue, or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, as amended.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Allen: Senate Bill No. 221—An act to amend sections 626, 626*d* and 626*j* of the Penal Code, relating to the preservation of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Bush: Senate Bill No. 222—An act to amend section 799 of the Political Code, relating to the official bond of notaries public.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Harper: Senate Bill No. 223—An act to amend section 4234 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Duval: Senate Bill No. 224—An act to add section 629*b* to the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Mixer: Senate Bill No. 225—An act to add a new section to the Political Code, numbered 4041*n*, relating to the powers of boards of supervisors, to provide for the conservation and the prevention of waste of underground waters.

Bill read first time, and referred to Committee on Conservation.

By Senator Rochester: Senate Bill No. 226—An act to amend section 623 of the Political Code, relating to the deposit of security for taxes and claims on policies with the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance.

By Senator Rochester: Senate Bill No. 227—An act to amend section 1188 of the Political Code, relating to independent nominations.

Bill read first time, and referred to Committee on Elections.

By Senator Baker: Senate Bill No. 228—An act to amend sections 595 and 1054 of the Code of Civil Procedure, relating to postponement of trials and extension of time in superior and inferior courts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hays: Senate Bill No. 229—An act to amend sections 674 and 900 of the Code of Civil Procedure, relating to recording of copy of judgments.

Bill read first time, and referred to Committee on Judiciary.

By Senator Hays: Senate Bill No. 230—An act to amend sections 4130 and 4300c of the Political Code, relating to recorders and fees.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Hays: Senate Bill No. 231—An act to amend sections 542a and 560 of the Code of Civil Procedure, relating to attachment.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rochester: Senate Bill No. 232—An act to add sections 4a, 4b, 4c, 4d, 4e, 4f, 4g, 4h, 4i, 4j, and 4k, to and to amend sections 5, 7, 10, 12, and 24 of the Direct Primary Law.

Bill read first time, and referred to Committee on Elections.

By Senator Fellom: Senate Bill No. 233—An act to amend sections 3 and 5 of chapter 753, Statutes of 1927, entitled "An act to establish the California State Historical Association, relative to providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years," approved May 25, 1927.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Maloney: Senate Bill No. 234—An act providing for the submission to the people of the State of California the question as to retaining, repealing or modifying the eighteenth amendment as a part of the constitution of the United States.

Bill read first time, and referred to Committee on Public Morals.

By Senator Young: Senate Bill No. 235—An act to amend section 626o of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Slater: Senate Bill No. 236—An act to repeal section 1.13 of the School Code relating to the attendance of Indian children upon public schools.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 237—An act to amend sections 2.913 and 2.914 of the School Code and to repeal chapter 284 of the Statutes of 1929 entitled "An act relating to the holding of school elections in union or joint union school districts," approved May 14, 1929,

relating to elections for members of union or joint union school district governing boards.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 238—An act to amend section 2.1090 of the School Code, relating to the organization of high school district governing boards.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 239—An act to repeal sections 2.1197 and 2.1198 of the School Code, relating to the appointments of trustees by superintendents of schools of counties to fill vacancies in school district governing boards.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 240—An act to amend section 3.5 of the School Code, relating to the opening and maintenance of schools in school districts.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 241—An act to repeal sections 3.120 and 3.121 of the School Code, relating to the admission of children to kindergarten.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 242—An act to amend section 3.331 of the School Code, relative to the payment of tuition and transportation of high school pupils attending high school in an adjoining state.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 243—An act to amend section 3.339 of the School Code, relating to the transportation of high school pupils.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 244—An act to repeal section 3.637 of the School Code, relating to the admission of deaf children to schools established for the deaf.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 245—An act to amend section 2.1152 of the School Code, relating to the organization of junior college district governing boards.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 246—An act to add a new article to chapter I of part II of division II to the School Code, to be numbered article IX, embracing sections 2.860 to 2.866, both inclusive, and to repeal article XII, embracing sections 2.1010 to 2.1016, both inclusive, of chapter 2 of part II of division II of the School Code, all relating to annual meetings of school trustees.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 247—An act to amend section 2.123 of the School Code, relating to the providing of educational facilities by superintendents of schools of counties.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 248—An act to amend section 2.101 of the School Code, relating to petitions for the changing of school district boundaries.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 249—An act to amend section 1.32 of the School Code, relating to causes for suspension or expulsion of pupils from the public schools.

Bill read first time, and referred to Committee on Education.

By Senator Slater: Senate Bill No. 250—An act to amend section 1.33 of the School Code, relating to the injuring of the property of a school district.

Bill read first time, and referred to Committee on Education.

By Senators Duval, Edwards and Slater: Senate Bill No. 251—An act to amend sections 8 and 24 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification, and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the returns and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations, and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the leasing of tide, tidewater overflowed and submerged lands, and the beds of navigable rivers or lakes.

Bill read first time, and referred to Committee on Conservation.

By Senators Duval, Edwards and Slater: Senate Bill No. 252—An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid into the seashore parks fund.

Bill read first time, and referred to Committee on Conservation.

By Senators Duval, Edwards and Slater: Senate Bill No. 253—An act to add section 7½ to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and

duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the seashore parks fund, creating the same and providing for its use.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senators Duval, Edwards and Slater: Senate Bill No. 254—An act amending the Political Code by adding sections 690:10, 690:12, 690:14, and 690:16 thereto, relating to littoral, tide, and tidewater overflowed and submerged lands, defining the powers and duties of the Department of Finance in connection therewith, and making an appropriation for the purposes of this act.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Williams: Senate Bill No. 255—An act to amend section 1855 of the Code of Civil Procedure, relating to evidence of the contents of a writing.

Bill read first time, and referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 256—An act to amend section 1387 of the Civil Code, relating to an illegitimate child being an heir of the person who in writing acknowledges himself to be the father of such child.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crittenden: Senate Bill No. 257—An act to amend section 4237 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

By Senators Rochester, Nelson and Jones: Senate Bill No. 258—An act to make an appropriation to carry out the provisions of the act creating the California Code Commission.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senators Rochester, Nelson and Jones: Senate Bill No. 259—An act to amend sections 2, 3 and 4 of chapter 750, Statutes of 1929, entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission.

Bill read first time, and referred to Committee on Governmental Efficiency.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOUR.

Senator Schottky asked for, and was granted, unanimous consent for the consideration of Assembly Joint Resolution No. 4, for purpose of adoption.

COPY OF CONTRACT AND STATEMENT OF ROLLAND A VANDEGRIFT, RELATING TO ASSEMBLY JOINT RESOLUTION NUMBER FOUR.

On motion of Senator Deuel, the following copy of contract and statement of Rolland A Vandegrift, Director of Finance of the State of California, relating to Assembly Joint Resolution No. 4, were ordered printed in the Journal:

KNOW ALL MEN BY THESE PRESENTS: That this contract made and entered into this ninth day of January, 1930, between C. C. Young as Governor of the State of California, acting by virtue of the authority conferred upon him by the Legislature of said State under the act approved June 19, 1929, to wit: Chapter 873, Statutes of 1929, partly of the first part, and Henry G. W. Dinkelspiel of San Francisco, California, Jackson H. Ralston of Palo Alto, California, and Charles J. Kappler of Washington, D. C., parties of the second part,

WITNESSETH:

1. This contract is made in pursuance of that certain act of the Legislature of the State of California approved June 19, 1929, being chapter 873 of the Statutes of 1929, and the provisions of said act shall be deemed a part of this contract.

2. The party of the first part has employed and does hereby employ the parties of the second part as the counsel, agents and attorneys for the State of California for the purpose of prosecuting the claims of the State of California against the United States of America before the committees of Congress or any court or department of the general government of the United States of America for disbursements made by the State of California during the Civil, Spanish, Indian or other wars.

3. The parties of the second part hereby accept the employment herein set forth and provided for by the terms and conditions herein stated, and agree that they will to the best of their ability do and perform the services stipulated and required by this contract; and further agree that no compromise settlement or other adjustment of any suit, action or claim shall be made unless with the approval of the Governor and the Attorney General of the State of California.

4. The fee or compensation to be paid to the parties of the second part in full for their services rendered or to be rendered hereunder shall be 25 per centum on the first one million two hundred thousand dollars (\$1,200,000) which may be collected from said sources, exclusive of the sum of two hundred thousand dollars (\$200,000) lawful money of the United States, recoverable by the State of California from the United States of America pursuant to that certain act entitled "An act making an appropriation to pay the claim of George M. Hawley, as the duly qualified and acting administrator of the estate of James E. Hale, deceased, and Thomas M. Nosler, against the State of California, and providing the manner of paying the same," approved March 24, 1903, and set out in the Statutes of the State of California, 1903, at pages 397 and 398; 15 per centum on all moneys collected for the State of California from said sources on the next \$1,000,000 over and above said sum of \$1,200,000 and the sum of 10 per centum out of any moneys so collected for the State of California from said sources over and above the sum of \$2,200,000, said sums to be in full payment for all fees and expenses; *provided*, that in any litigation growing out of the prosecution of said claims, the Attorney General of the State of California shall have the right to be associated as an attorney on the part of the State of California. No compensation is to be paid to said parties of the second part except in the event moneys are received by the State of California on account of any such claim or claims of the State of California against the United States Government.

5. Any check, draft, warrant or other medium of payment that may issue in settlement of any and all such claims of the State of California shall be made payable to the order of the State of California and the officers of the government of the United States are hereby authorized and directed to cause the same to be delivered to the Controller of the said State of California; and upon the receipt thereof by said Controller, he shall collect the amount due thereon and from the money so received he shall, upon the written authorization of the then Governor of the State of California, deduct therefrom so much thereof as said parties of the second part shall be entitled to under the terms of this contract, and shall pay to said parties of the second part, or their assigns, the amount so deducted and shall deposit the balance in the State treasury to the credit of the general fund of said State.

6. No expenses shall be incurred in the prosecution of such claims chargeable to or payable by the party of the first part.

7. The parties of the second part may associate with themselves other persons for the purpose of accomplishing the objects of this contract; *provided*, that the party of the first part shall in no way be liable therefor.

IN TESTIMONY WHEREOF the party of the first part has signed these presents in quadruplicate, duly attested by the Secretary of State, and caused the Seal of the

State of California to be affixed; and the parties of the second part have likewise signed the same this ninth day of January, 1930.

C. C. YOUNG, Governor of California.

Attest: FRANK C. JORDAN,
Secretary of State of the
State of California.

HENRY G. W. DINKELSPIEL.
JACKSON H. RALSTON.
CHARLES J. KAPPLER.

[SEAL]

STATE OF CALIFORNIA,)
County of Sacramento } ss.

On the ninth day of January, A. D. 1930, before me, Byrl F. Babcock, a Notary Public in and for the said county and State, residing therein, duly commissioned and sworn, personally appeared C. C. Young, known to me to be the person whose name is subscribed to the within instrument as Governor of the State of California, and acknowledged to me that he executed the same as Governor of the State of California.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[SEAL]

BYRL F. BABCOCK,

Notary Public in and for said county and State of California.

STATE OF CALIFORNIA,
City and County of San Francisco } ss.

On this eighteenth day of January, in the year 1930, before me, Mark E. Levy, a Notary Public, in and for the City and County of San Francisco, State of California, residing therein, duly commissioned and sworn, personally appeared Henry G. W. Dinkelspiel and Jackson H. Ralston, known to me to be the persons whose names are subscribed to the within instrument, and they duly acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the City and County of San Francisco, the day and year in this certificate first above written.

[SEAL]

MARK E. LEVY,

Notary Public in and for the City and County of San Francisco, State of California.

DISTRICT OF COLUMBIA—ss.

On this twenty-second day of January, in the year 1930, before me, Meta A. Faulconer, a notary public in and for the District of Columbia, residing therein, duly commissioned and sworn, personally appeared Charles J. Kappler, known to me to be the person whose name is subscribed to the within instrument, and he duly acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, at my office in the city of Washington, District of Columbia, the day and year in this certificate above written.

[SEAL]

META A. FAULCONER, Notary Public.

My commission expires January 16, 1931.

STATEMENT OF ROLLAND A. VANDEGRIFT.

STATE OF CALIFORNIA, DEPARTMENT OF FINANCE,
SACRAMENTO, January 19, 1931.

Senator George W. Rochester,
State Capitol, Sacramento, California.

DEAR SENATOR: The following is the information which we have available regarding the claim of the State of California against the United States for reimbursement of costs in connection with the Civil War:

The original amounts expended by the State aggregate \$3,020,346.10, of which \$2,400,109.71 represents the amount of extra pay and bounties paid by the State to encourage enlistment and re-enlistment. On account of accrued interest paid by the State on bonds which were issued to finance these costs, the claim amounted up to December 31, 1929, to \$6,462,145.33.

The State has had attorneys employed constantly to prosecute this claim, beginning in 1880, when an attorney named Mullen was employed. In 1903, an amount of \$50,000 was appropriated out of any moneys that might be recovered on this claim to pay for the services of James E. Hale and Thomas M. Nosler. Since no part of the claim has been received by the State, this \$50,000 is yet unpaid.

In 1907, under chapter 511, the Governor of the State was authorized to employ Jackson H. Ralston, Frederick L. Siddons and William E. Richardson to continue the prosecution of this claim. In 1929, under chapter 873, the 1907 act was repealed and the Governor was authorized to employ counsel for the further prosecution of this claim. The fees were specified not to exceed 25 per cent of the first million over \$200,000, 15 per cent of the second million over \$200,000 and 10 per cent on the balance. A contract authorized by this act was duly entered into by Governor C. C. Young, January 9, 1930.

I am informed by a representative of the above mentioned attorneys that out of any compensation received under this contract (with the exception of the \$50,000 authorized in the 1903 act) payment is to be made to the attorneys or their heirs for all services rendered in connection with this claim since 1880.

Since the signing of the current contract a great deal of work has been performed by the representative in Washington in research work and the massing of evidence and in preparing a brief of the entire claim for presentation to Congress. Heretofore attempts to recover this amount have failed largely because of incomplete information in support thereof.

During the last year the staff of this department has rendered considerable aid in tracing the interest on this amount through the various old records and through ramifications of refunding of old bonds.

We are informed that this is an auspicious time to bring this claim before Congress. Senators Ashhurst and Waterman, members of the committee to which the same will be referred, have expressed themselves as being in favor of such claims. The last session of Congress passed a similar claim to reimburse the State of Nevada, though the amount was relatively small.

Very truly yours,

ROLLAND A. VANDEGRIFT, Director of Finance.

N.B. It will be noted that under the contract now in force no percentage is to be paid on the first \$200,000 recovered, 25 per cent of this amount, \$50,000, being already provided for in the appropriation in the 1903 act.

POSTPONEMENT OF CONSIDERATION OF ASSEMBLY JOINT RESOLUTION
NUMBER FOUR.

At request of Senator Inman, further consideration of Assembly Joint Resolution No. 4 was ordered postponed, until after the noon recess.

REPORT OF JOINT LEGISLATIVE COMMITTEE ON SEACOAST CONSERVATION.

The following report of Joint Legislative Committee on Seacoast Conservation was received, and on motion of Senator Duval, ordered printed in the Journal.

REPORT OF JOINT LEGISLATIVE COMMITTEE ON SEACOAST
CONSERVATION.

(California Legislature, Forty-eighth Session.)

To the Forty-ninth Session of the Legislature of California.

The undersigned respectfully submit to the Legislature a report authorized and provided for by Assembly Concurrent Resolution No. 25, approved by both houses of the forty-eighth session (1929) of the Legislature of California. The resolution found on pages 2243 and 2244, Statutes of California, 1929, is as follows:

ASSEMBLY CONCURRENT RESOLUTION NUMBER TWENTY-FIVE.

Chapter Sixty-Eight.

Assembly Concurrent Resolution No. 25—Relating to the preservation of the coast line of the State of California and the land and water areas contiguous thereto and authorizing the appointment of a committee for the purpose of study and investigation.

(Filed with Secretary of State, May 15, 1929.)

WHEREAS, One of the most valuable assets of the State of California lies in its coast line along the Pacific Ocean and in the land and water areas contiguous thereto; and

WHEREAS, The factors contributing to this great value are of varied character, including those natural resources and natural features of said land and water areas which are adapted to development in furtherance of navigation, commerce, fisheries, and the production of minerals and oil, and for residential, recreational and scenic purposes; and

WHEREAS, It is desirable that these land and water areas be so developed as to meet the needs of the people of all parts of the State, both now and in the future, in an orderly manner, to the end that all of these natural resources and features may be given due consideration and those interested therein given proper recognition and assistance; and

WHEREAS, Much legislation has been enacted both by the Congress of the United States, the State Legislature and by local political subdivisions of the State relative to such matters and it is desirable that such legislation and future legislation be so correlated as best to accord with and promote the orderly and properly balanced development of this great natural asset of the State; now, therefore, be it

Resolved by the Assembly, the Senate concurring. That the Department of Natural Resources is hereby requested to make its organization and facilities available for a thorough investigation and study of the subject matter of this resolution under the direction of the committee hereinafter designated and to make available to the committee from time to time as may be convenient to the committee, the results of such investigations; and the other executive branches and offices of the State government, particularly the Department of Finance, the Surveyor General, the Attorney General and the Department of Public Works, are hereby requested to furnish all desirable and practicable assistance to the Department of Natural Resources and to the committee in making this investigation and study; and be it further

Resolved, That there shall be and hereby is created a committee to consist of four members of the Assembly, to be appointed by the Speaker of the Assembly and four members of the Senate to be appointed by the President of the Senate, to effect a thorough investigation and study of the subject matter of this resolution by the executive departments hereinbefore designated; to receive and consider the results of the investigation and study so requested; to make such further study and investigation as to it may seem desirable; to prepare such a compilation of its findings and present such recommendations as it may determine in a report to be submitted to the forty-ninth session of the Legislature during the first week thereof; and to cause such report to be published as a public document not later than November 15, 1930, at the same time submitting a copy of it to the Governor for his use in making such recommendations as he may desire in his biennial message to the Legislature; and be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary and shall proceed to carry out the purposes of this resolution in such a manner as may be determined by said committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, it shall be the duty of all State, county, municipal and political subdivision officers to furnish such reports, books, documents, records, papers and testimony, upon request of said committee as may be pertinent to the purposes herein set forth; and be it further

Resolved, That the sum of \$5,000, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the respective contingent funds of the Senate and Assembly, which may have heretofore or may hereafter be appropriated for the contingent expenses of the Senate and Assembly by this session of the Legislature, said sum to be payable one-half from the contingent fund of the Senate and one-half from the contingent fund of the Assembly, but not exceeding the sum of \$5,000 in all, for the purpose of paying the expenses incurred by the joint committee herein designated, under the authority hereof, and for the purposes herein set forth, and said payments shall be disbursed from time to time by Controller's warrants to be drawn against such contingent funds upon the written orders of the chairman of said joint committee herein provided for.

In pursuance of this resolution, the President of the Senate appointed Senator Herbert W. Slater of Santa Rosa, Frank Boggs of San Joaquin County, Senator Nelson Edwards of Orange County, and Senator Walter Duval of Ventura County, and the Speaker of the Assembly appointed Assemblyman Harry L. Parkman of San Mateo County, William B. Hornblower of San Francisco County, George R. Bliss of Santa Barbara County, and William Byrne of Los Angeles County.

Pursuant to the request of Assemblyman William B. Hornblower, the committee was summoned to meet in the office of Mr. Hornblower, in the Hearst Building, San Francisco, at 12 o'clock m., October 5, 1930. Present: Assemblymen Hornblower, Byrne, Bliss and Parkman. Absent: Senators Duval, Edwards, Boggs and Slater.

The committee organized by electing Assemblyman Hornblower chairman, Senator Duval vice chairman, Assemblyman Bliss secretary.

The adjournment was taken subject to the call of the chairman.

The second meeting was held at Los Angeles at 10 o'clock a.m., January 27, in the offices of the State Railroad Commission in the Associated Realty Building. Members present: Assemblymen Hornblower, Byrne, and Bliss; Senators Duval and Edwards. At this meeting opportunity was afforded all interested in the work of the committee to present any facts and make any statement desired. Advantage of this opportunity was taken by many State officials, county and city officials, owners of water front property and others interested in the development of water front property.

This meeting was reported by an official reporter of the State Railroad Commission, and the reporter's transcript is available to any one interested.

The third meeting was held November 7 and 8, 1930. The committee assembled at the Santa Barbara courthouse on November 7 at 9 o'clock a.m. Present: Assemblymen Hornblower, Bliss, Parkman and Senator Duval. The committee proceeded by automobile to the Elwood Tidelands Oil Field, a few miles north of Santa Barbara city, and located along the water front of Santa Barbara County, and then proceeded along the coast southeasterly to Long Beach, Los Angeles County, making frequent stops in Santa Barbara County, Ventura County and Los Angeles County to inspect water front conditions at various points.

A hearing was granted citizens of Los Angeles County and others at Long Beach, at the Pacific Coast Club in that city, on the evening of November 8.

The following morning the committee assembled at the Associated Realty Building. Present: Assemblymen Byrne, Bliss, Hornblower and Parkman; Senators Duval and Edwards. After listening to the remarks of several persons interested in the work of the committee, the committee in executive session conferred with Thos. S. Dabagh of the Legislative Counsel Bureau as to the formulation of several suggested bills.

The fourth meeting of the committee was held in San Francisco at 10 o'clock a.m., November 22, at the courthouse in the civic center in San Francisco. Present: Senators Boggs and Duval, Assemblymen Hornblower, Parkman and Bliss. Further consideration was given to the drafting of legislation.

The fifth meeting was held in the State Capitol building at Sacramento December 17, 1930. Further progress was made on the drafting of legislation and the preparation of the report of the committee.

Other meetings were held after the convening of the forty-ninth session of the Legislature and the findings and recommendations of the committee adopted and submitted in this report.

We find that the State of California has, in its more than 1200 miles of coast line, one of its major assets. This asset is rapidly increasing in value. As the population of our State grows this value will continue to increase.

The beaches of California may be classified, so far as their ownership is concerned, in two ways—first, the lands below the mean high tide line, and second, those above this line. The lands below the mean high tide line are the property of the State of California, which holds such lands in trust for its people. The lands above the mean high tide line are almost universally the property of private owners and not of the State.

The lands along the coast, both above and below the mean high tide line, have values to the State and its people for various purposes. These may be summarized as follows:

1. For use in connection with navigation.
2. For use in connection with fishing.
3. Recreation, such as bathing, boating, pleasure piers and other amusements.
4. Scenic.
5. For use in connection with highways, as for example, in cases where roads or highways cross tidelands or follow the coast line very near the shore.
6. Production of oil and other minerals.

Little need be said as to the importance to the State of the proper regulation and development of its water front. The concentration of population close to the coast line is sufficient evidence of this. The future prosperity of the State and the happiness of its citizens in a large measure depends upon the manner in which the water front from Oregon to Mexico is developed by both governmental and private agencies.

As a result of the hearings and inspection trips of the committee, we made the following findings and submit the following recommendations:

SEASHORE PARKS.

We find that the public interests will be best served when a portion of the water front upland is privately owned and a portion thereof is publicly owned. This applies to those uses classed as commercial and those of a residential and recreational character. We find that at present there is need for more publicly owned upland, particularly for recreational use.

We recommend that the State Park Commission continue their present policy of liberal acquisition of seashore park areas with available funds, and recommend that additional funds be made available. We recommend that a portion of the royalty now received by the State from its tideland oil wells be allocated to this purpose and attach hereto a suggested bill to bring this about.

We also recommend that there be created a Seashore Parks Fund into which this royalty money shall be paid and any other money which the Legislature may from time to time allocate to this purpose. We suggest that appropriate legislation be adopted for the creation of such a fund and attach hereto a bill designed to accomplish this. We also recommend that all other revenue or possible revenue accruing to the State from its tidelands or seashore park areas, such as fees for permits to erect groins and other tideland structures, park concession fees and rentals be allocated to this Seashore Parks Fund.

We note and gratefully appreciate the recent gift to the State Park Commission of beach area in Orange County to the value of nearly \$750,000 and hope for more such gifts from public spirited citizens in a position to make them. We recognize that by providing liberal park areas for the use of the general public, the State will be protecting the private owners of upland beach areas from trespass and from increasingly insistent demands for legislation of a radical character.

ACCESS TO TIDELANDS.

We find that at many places along the waterfront of the State there is not provided sufficient access to the tidelands for landing purposes for boating, fishing, etc., and while this can be in part remedied by local authorities in the provision of short lateral spur roads to the sea and of city and county parks along the shore,

we recommend that wherever a State highway parallels and is close to the sea, the State Highway Commission or the State Park Commission under authority now granted them and with funds now or hereafter made available, acquire within their discretion suitable access areas, with a width of from 300 to 600 feet.

BEACH HIGHWAY AREAS.

We find that where a State highway approaches but does not actually reach to the high tide line, which is the upper boundary of the State-owned tidelands, there is presented a problem concerning both the State highway system and the beach area. In such cases a narrow privately owned strip intervenes between road and ocean, unsuitable for the best private uses and in some respects against public interest. We find that if such strips were publicly owned and controlled either by the State Park Commission or by the State Highway Commission the following results would be accomplished:

1. Future widening of the right of way would be made easier.
2. Erection of structures, usually cheap and unsightly, between road and ocean would be prevented. Such structures because of their nearness to both road and ocean obstruct the view, are menaced by waves, and, if expensive, increase the cost of later widening of the road.
3. The shore line is receding, according to the best engineering authorities, along the entire coast line of California, due to erosion. The State Highway Commission, if possessed of these intervening strips, is in a position to take such engineering steps as will protect the adjacent highway from this erosion.
4. More liberal access on the part of the general public will be provided. Our tourist business is profitable. Ownership of these strips will give the tourist opportunity to see out over the ocean as he passes by and opportunity to reach the ocean if he stops and parks his car.

We find that under present statutes and with present funds the State Highway Commission is in a position to acquire within its discretion such strips now existing, and suggest that where practicable this be done. We recommend that in the future such strips be acquired at the time the original right of way is purchased, because at that time the acquisition can be made at less cost and before any structures are erected on the private property. We suggest that such strips be acquired wherever the high tide line is within 150 feet of the center of the traveled portion of the right of way of the highway.

OIL DRILLING.

In connection with the production of oil and gas and other minerals from tidelands owned by the State of California, we report that we have examined into the situation created by the leasing of tidelands for oil and gas prospecting purposes under the provisions of chapter 303, Statutes of 1921. We find that as of the date of this report, there are 16 leases in good standing and 40 permits in good standing. From the leases mentioned there has been produced oil and gas valued at \$7,768,632.29, which is an addition to the wealth of the people of the State of California, made possible through this source. From this production, there has been paid into the treasury of the State of California, a royalty of 5 per cent, or \$554,985.68, all of which has gone into the general fund of the State. We believe it conservative to expect that this revenue will continue at the rate of approximately \$60,000 per month, and it may be materially increased.

In addition to recommending that a portion of this revenue be made available to the State Park Commission for the acquisition of beach lands, we have the following recommendations to make concerning the drilling of State-owned tide lands:

1. We recommend that no legislation be adopted authorizing the issuance of additional prospecting permits.
2. We recommend that legislation be adopted authorizing competitive leasing by the State wherever an onshore oil field has been definitely proven in commercially paying quantities so as to prevent drainage of the adjoining State-owned tidelands. We attach hereto a bill framed to provide for such offset drilling.

TIDELAND STRUCTURES.

We find that there exist several problems connected with the seacoast, all of which will require, we believe, the investment of some suitable State agency with supervisory and regulatory power.

We find that groins, jetties, piers and other structures have been erected upon the State tidelands without any permit or authority from the State. These are often desirable and necessary both from the standpoint of the littoral owner and the public. But we find that there is need for supervision so that such structures be safe, efficient, sightly and so that they do not interfere with the rights of other property owners and of the public. This matter of groins and certain other tideland structures is very fully and ably covered in the report of the advisory board of Los Angeles County on beach protection, of which Colonel Chas. T. Leeds is chairman, to Attorney General U. S. Webb, dated December 13, 1930. The invest-

ment of some central State agency with authority to supervise tideland structures is recommended.

TITLE TO TIDELANDS.

We find that there is much uncertainty as to the location of the high-tide line. Some suitable agency should be made available for its determination. According to well accepted law this line changes from natural causes and with that change the boundary line between private and State-owned lands changes. When the line is changed by artificial means, land formed by accretion belongs to the State. Where such areas are not suitably located for public use, they should be deeded to the littoral owners or other private parties for a proper consideration and the proceeds placed in the Seashore Parks Fund. A suitable agency should so act for the State.

TIDELAND GRANTS.

Grants have been made to municipalities and in at least one case to a county, of tidelands within their limits. A study of such grants should be made to ascertain if their provisions and conditions have been observed. We recommend that future grants be made carefully and according to a standard form and that the interests of the State be safeguarded. There is need that a central State agency study these grants and take suitable measures for their observance.

SEACOAST INVESTIGATION.

The problems of the seacoast require special study. A governmental body is needed to carry on such a continuous study and report thereon biennially to the Legislature and recommend legislative action as a result thereof.

STATE REGULATORY AUTHORITY.

We find that there is need for general supervision of the beach area, both tidelands and uplands, so that development may be orderly. We find that leasing now authorized for mineral development, for wharves, boat landings, pleasure piers, etc.; that the granting of permits for outfall sewers, and groins and all other tideland structures; that investigations as to erosion and other seacoast engineering problems; that enforcement of existing and future laws with regard to the seacoast, should all be centered in one governmental agency. We find that there is need that such a governmental body advise with other states, with the federal government, with cities and other local political subdivisions and with private citizens with respect to matters affecting the seacoast. We recommend that the chief of the Division of State Lands, Department of Finance, be given the powers and duties of regulation and supervision above suggested and outlined and attach hereto a bill for that purpose.

Signed this nineteenth day of January, 1931.

WALTER H. DUVAL.
NELSON T. EDWARDS.
HERBERT W. SLATER.
WM. B. HORNBLOWER.
H. L. PARKMAN.
GEORGE R. BLISS.

DIVERSION OF OIL ROYALTY TO SEASHORE PARKS FUND.

An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid into the Seashore Parks Fund.

The people of the State of California do enact as follows:

SECTION 1. Section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," is hereby amended to read as follows:

Sec. 19. All moneys received by the Surveyor General under the provisions of this act from rents, fees, bonuses, and royalties accruing from the use of State school land shall be paid into the "School Fund." One-half of all moneys accruing from the use of State littoral, tide, tidewater overflowed and submerged lands shall be paid into the State treasury to the credit of the "Seashore Parks Fund," except that during the biennium July 1, 1931, to June 30, 1933, there shall first be sub-

tracted from the total sum accruing each month from the use of such lands any moneys received to the amount of \$50,000, which moneys shall be deposited in the "General Fund," and only one-half of the monthly balance, if any, shall be paid into the "Seashore Parks Fund." All other moneys received under the provisions of this act shall be deposited in the "General Fund."

SEASHORE PARKS FUND.

An act to add section 7½ to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the Seashore Parks Fund, creating the same and providing for its use.

The people of the State of California do enact as follows:

SECTION 1. Section 7½ is hereby added to chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," to read as follows:

Sec. 7½. There is hereby created the Seashore Parks Fund. One-half of all moneys received by the Surveyor General from rents, fees, bonuses, and royalties accruing from the use of State littoral, tide, tidewater overflowed and submerged lands under the provisions of "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, shall be deposited in the State treasury to the credit of said Seashore Parks Fund, except that during the biennium July 1, 1931 to June 30, 1933, there shall first be subtracted from the total sum accruing each month from the use of such lands any moneys received to the amount of \$50,000 which moneys shall be deposited in the general fund, and only one-half of the monthly balance, if any, shall be deposited in the State treasury to the credit of said Seashore Parks Fund. All moneys so deposited in the Seashore Parks Fund shall be used at the discretion of the State Park Commission for the acquisition of park and beach areas suitable for public use along the tidewater shores of this State, and for the development and maintenance of the same, and for the acquisition, construction, and maintenance of connecting roads providing easy access to such areas from the nearest State highway or other public road. Such seashore park and beach areas may be acquired within the limits of incorporated cities, if such acquisition is approved by resolution of the legislative body of such city, and when acquired shall be considered to be part of the State park system, except that only moneys in the Seashore Parks Fund may be expended for the care, protection, supervision, extension and improvement or development of such areas within the limits of incorporated cities. At least one-half of the moneys deposited in the Seashore Parks Fund from the use of lands in any county shall be expended for park and beach areas and connecting roads along the shore of that county or as nearly adjacent thereto as practicable. The State Park Commission shall not be limited to the Seashore Parks Fund for the acquisition, development, and maintenance of seashore park and beach areas outside the limits of incorporated cities, but may also use other available funds under its control for the purpose.

OFFSET TIDELANDS DRILLING.

An act to amend sections 8 and 24 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification, and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the return and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations, and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the leasing of tide, tidewater overflowed and submerged lands, and the beds of navigable rivers or lakes.

The people of the State of California do enact as follows:

SECTION 1. Section 8 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and

royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as amended by chapter 7, Statutes of 1929, is hereby amended to read as follows:

Sec. 8. All unappropriated deposits of oil or gas situated within the known geological structure of a producing oil or gas field and the unentered lands containing the same not subject to preferential lease, may be leased by the Surveyor General to the highest responsible bidder by competitive bidding under general regulations to qualified applicants in areas not exceeding 640 acres and in tracts which shall not exceed in length two and one-half times the width, the surveyed land to be leased according to legal subdivisions, the unsurveyed land to be surveyed by the Surveyor General, at the expense of the lessee, in such form as the Surveyor General shall deem to be to the best interest of the State; *provided, however*, that in case of leases to river bed, lake bed, overflowed, tide and submerged lands the width or length of the lease along the shore line, measured on an east and west or north and south line, shall not exceed one-quarter mile, such leases to be conditioned upon the payment by the lessee of such bonus as may be accepted and of such royalty as may be fixed in the lease, which shall not be less than 12½ per centum in amount or value of the production, and the payment in advance of a rental of not less than one dollar per acre per annum thereafter during the continuance of the lease, the rental paid for any one year to be credited against the royalties as they accrue for that year; *and provided, further*, that leases to State tide, tidewater overflowed and submerged lands, or the beds of navigable rivers or lakes, may be made, and may be made to such lands fronting on an incorporated city or either side thereof, but may be made only where necessary or advisable to offset the taking in commercial quantities of oil or gas from adjacent or nearby private lands, and the terms of such leases shall provide for adequate offsetting to prevent the undue drainage of oil or gas from beneath State lands, and shall also suitably provide for the prompt removal by the lessee of operating structures from abandoned wells. Leases shall be for a period of 20 years with the preferential right in the lessee to renew the same for successive periods of 10 years upon such reasonable terms and conditions as may be prescribed by the Surveyor General, unless otherwise provided by law at the time of the expiration of such periods.

Whenever the average daily production of any oil well shall not exceed 10 barrels per day, the Surveyor General is authorized to reduce the royalty on future production when in his judgment the wells can not be successfully operated upon the royalty fixed in the lease. The provisions of this paragraph shall apply to all oil and gas leases made under this act; *provided, further*, that the Surveyor General shall not lease or receive any application for lease, and shall not offer a lease to the highest responsible bidder by competitive bidding under the provisions of this section of any tide, overflowed or submerged lands of this State after the approval of this act and prior to the first day of September, 1929.

SEC. 2. Section 24 of chapter 303, Statutes of 1921, as added by chapter 536 Statutes of 1929, is hereby amended to read as follows:

Sec. 24. On and after September 1, 1929, no lease for drilling for oil or gas, or for the production or extraction of any minerals other than oil or gas shall be made, executed or delivered by the State or any official thereof or by any political subdivision of the State or any official thereof for tidelands, whether filled or unfilled, submerged lands, overflowed lands or the beds of navigable rivers or lakes; *provided, however*, that nothing contained in this section shall be deemed or construed with reference to the holder of a valid, uncanceled and unforfeited prospecting permit granted upon an application filed in full accordance and compliance with the provisions of this act on or prior to January 17, 1929, or if a littoral owner, on or prior to the last day upon which he can, under the provisions of section 4 of this act, exercise his preferential rights with respect to an application made on or prior to January 17, 1929, as prohibiting such permit holder from exercising the right, if any he have, to apply for and receive a lease under the provisions of section 5 of this act, nor as recognizing, ratifying or validating any such right so claimed; *and provided, further*, that leases for drilling and operating offset wells on such lands belonging to the State may be made by the Surveyor General as provided in section 8 of this act, and similar leases for offset wells on such lands granted to cities or counties or other political subdivisions may be made under the same conditions as are provided in said section 8 if the governing body of the city or county or other political subdivision by ordinance permits the Surveyor General to make such leases and of the proceeds of such leases on such granted lands the State shall retain 50 per centum when the subsurface rights have not been granted, or 12½ per centum as a charge for its service when the subsurface rights have been granted, and shall pay the remainder to the political subdivision holding such granted lands, and said political subdivision shall devote at least 50 per centum of the amounts so paid to it for the purchase and maintenance of seashore park and beach areas for the use of the public.

STATE SUPERVISION.

An act amending the Political Code by adding sections 690:10, 690:12, 690:14, and 690:16 thereto, relating to littoral, tide, and tidewater overflowed and submerged lands, defining the powers and duties of the Department of Finance in connection therewith, and making an appropriation for the purposes of this act

The people of the State of California do enact as follows:

SECTION 1. Section 690:10 is hereby added to the Political Code, to read as follows:

690:10. The Department of Finance through the Division of State Lands shall have charge of all littoral, tide, and tidewater overflowed and submerged lands in this State, except as otherwise provided by law.

SEC. 2. Section 690:12 is hereby added to the Political Code, to read as follows:

690:12. The Department of Finance shall have power to ascertain the location, extent, and nature of littoral, tide, and tidewater overflowed and submerged lands belonging to the State, and may order suitable surveys and descriptions to be made for the purpose. It shall investigate grants and leases of such State lands, and ascertain if the conditions, if any, of such grants and leases have been or are being complied with, and shall take such measures as may be proper for the enforcement of such conditions. It shall also investigate any encroachments or trespasses, or structures in the nature of nuisances, on such State lands, and shall order such action as it may consider advisable for the protection and furtherance of the interests of the State and the public. It may provide for and collect appropriate fees and rentals for the use of such State lands, which fees and rentals shall be paid into the State treasury to the credit of the general fund, unless otherwise provided by law; and it may make leases of such lands for periods of not over five years for any lawful purposes, unless and except as otherwise provided by law.

SEC. 3. Section 690:14 is hereby added to the Political Code, to read as follows:

690:14. The Department of Finance shall see that all State laws relating to beaches and water fronts are enforced, and may make rules not inconsistent with law governing the use of all littoral, tide, and tidewater overflowed and submerged lands in this State, for the purpose of promoting public health and safety, encouraging navigation and commerce, and preserving and improving facilities for fishing, hunting, boating, bathing or other public uses of such lands, but such rules shall not conflict with the rights, powers, and duties of municipalities, port and harbor districts, or any other public agency, department, board, or commission. Such rules may include suitable zoning regulations, and regulations for licensing and prescribing terms for the construction or alteration of all structures on littoral, tide, and tidewater overflowed and submerged lands, including dwellings, stores, gas stations, sheds, warehouses, docks, wharves, piers, jetties, bridges, groins, seawalls, breakwaters, bulkheads, fences, sewers, piling, pipe-lines, and oil well operating structures. Violation of such rules shall be a misdemeanor.

SEC. 4. Section 690:16 is hereby added to the Political Code, to read as follows:

690:16. The Department of Finance shall promote shore preservation, development, and use, to the end that the best interests of the State and public may be secured. For this purpose it may among other things make studies of erosion and accretion, tidal and storm action, and shore protection, improvement, and planning in general, and may cooperate with other interested agencies and persons in such studies and activities. It shall have power to make improvements or take any other action in accordance with the results of such studies, subject to limitations otherwise provided by law; and it may make recommendations to the Legislature regarding shore preservation, development, use, and related matters.

SEC. 5. For the purposes of the sections added to the Political Code by this act there is hereby appropriated out of any money in the State treasury not otherwise appropriated the sum of \$15,000 for the support of the Department of Finance during the eighty-third and eighty-fourth fiscal years, in addition to any other moneys appropriated to said department.

RESOLUTIONS.

The following resolutions were offered:

By Senator Maloney:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, payable weekly, and the Controller is hereby directed to pay the same:

W. F. Reed, Judiciary Clerk.....\$6 00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones,

Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Swing, Wagy, and Young—31.

NOES—None.

By Senator Swing:

Resolved, That Geo. Jackson Claire, appointed to the office of Assistant Sergeant-at-Arms of the Senate at a per diem of \$5, be transferred to the office of Clerk of the Finance Committee at a per diem of \$6.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Swing, Wagy, Williams, and Young—32.

NOES—None.

LEAVE OF ABSENCE

Senator Cleveland was, on motion of Senator Christian, granted leave of absence for the remainder of this day.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senators Inman, Schottky, and Jones: Senate Concurrent Resolution No. 14—Relative to the relief of persons engaged in agricultural pursuits.

Referred to Committee on Public Utilities.

By Senators Rochester, Nelson, and Jones: Senate Concurrent Resolution No. 15—Providing for the appointment of a Joint Legislative Committee on Revision of the Laws.

Referred to Committee on Governmental Efficiency.

RECESS.

On motion of Senator Breed, at twelve o'clock and fourteen minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Wagy: Senate Concurrent Resolution No. 16—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a general State election held therein on the fourth day of November, 1930.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER SIXTEEN.

Senator Wagy asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 16, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 16—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of

Bakersfield at a general State election held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 16 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Riley, Schottky, Slater, and Wagye—24.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 16 ordered transmitted to the Assembly.

MOTION TO AMEND RULES.

Senator Breed gave notice that on the next legislative day he would move to amend the joint rules as appearing in Senate Concurrent Resolution No. 13, as follows:

AMENDMENTS TO SENATE CONCURRENT RESOLUTION NUMBER THIRTEEN.

AMENDMENT NUMBER ONE.

On page 3, lines 36 and 37, of the printed resolution, strike out the following: "by and with the written assent of the author filed with it,".

AMENDMENT NUMBER TWO.

On page 3, line 41, of the printed resolution, strike out the following: "provided, that no", and insert in lieu thereof "but the attention of the author shall be called to any changes made. No".

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Rochester: Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 and 5.1490, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers, the State of California and school districts for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929, entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semi-sighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929, entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929.

Bill read first time, and referred to Committee on Education.

By Senators Rochester, Nelson and Jones: Senate Bill No. 261—An act to repeal chapter 172, Statutes of 1893, entitled "An act to provide for the appointment of guardians of children maintained in any orphan's home or orphan asylum in this State," approved May 23, 1893.

Bill read first time, and referred to Committee on Public Charities and Corrections.

By Senators Rochester, Nelson and Jones: Senate Bill No. 262—An act to repeal chapter 663, Statutes of 1929, entitled "An act concerning

the guardianship of incompetent veterans and of minor children of dependent or deceased veterans and the commitment of veterans and to make uniform the law with reference thereto," approved June 3, 1929.

Bill read first time, and referred to Committee on Military Affairs.

By Senators Rochester, Nelson and Jones: Senate Bill No. 263—An act to amend section 138 of the Civil Code, relating to orders respecting custody and maintenance of minor children of the marriage in actions for divorce.

Bill read first time, and referred to Committee on Judiciary.

By Senators Rochester, Nelson and Jones: Senate Bill No. 264—An act to add new sections to the Code of Civil Procedure, to be numbered 1043 and 1044, and to amend sections 763 and 963 of said code.

Bill read first time, and referred to Committee on Judiciary.

By Senators Rochester, Nelson and Jones: Senate Bill No. 265—An act to repeal section 92, of chapter 76, Statutes of 1909, entitled "An act to define and regulate the business of banking," approved March 1, 1909.

Bill read first time, and referred to Committee on Banking.

By Senators Rochester, Nelson and Jones: Senate Bill No. 266—An act to amend sections 4181 and 4182 of the Political Code, relating to the duties of the public administrator.

Bill read first time, and referred to Committee on County Government.

By Senator Mixter: Senate Bill No. 267—An act to amend section 19x11 of the "Juvenile Court Law," relating to the salaries of the probation officer and assistants in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Senator Mixter: Senate Bill No. 268—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Senator Inman: Senate Bill No. 269—An act to amend section 3489a of the Political Code, relating to the changing of boundaries of, and exclusion of land from reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Inman: Senate Bill No. 270—An act to amend section 6 of chapter 808, Statutes of 1927, entitled "American River Flood Control District Act," relating to candidates for the office of trustee.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Inman: Senate Bill No. 271—An act to amend section 428, chapter 520, Statutes of 1927, entitled "An act to authorize the issuance and sale of bonds of the Sacramento and San Joaquin drainage district based upon assessments levied by the Reclamation Board upon

lands in said district," relating to installments to pay the interest and principal on bonds.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Inman: Senate Bill No. 272—An act to add a new section to be numbered 14a, chapter 25 Statutes of 1911, extra session, entitled the "Reclamation Board Act" relating to claims of parties against the Sacramento and San Joaquin drainage district for moneys advanced for work on the flood control project.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Inman: Senate Bill No. 273—An act to add a new section to the Political Code of the State of California, to be numbered 3476a, relating to the cancellation by the trustees of assessments or portions of assessments levied by reclamation districts on the lands within said districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Inman: Senate Bill No. 274—An act to amend the Political Code by amending sections 3454, 3457, 3465, 3466, 3466½, as enacted by Statutes of 1921 of the State of California, chapter 374, 3468, 3480 and 3480a, relating to reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Inman: Senate Bill No. 275—An act to prohibit the sale of certain articles and appliances by certain public utilities, municipal corporations, districts, or public corporations.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Fellom: Senate Bill No. 276—An act to add a new article to chapter 3, of title I of part III of the Political Code, to be numbered article 11a, embracing sections 377 to 377a, inclusive, relating to a Department of Professional and Vocational Standards.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Mixer: Senate Bill No. 277—An act to provide for preserving and making available for public use as a permanent record all data, records, maps and reports made or collected pursuant to water resources investigations and studies heretofore made and authorized under chapter 889, Statutes of 1921; chapters 476 and 477, Statutes of 1925; chapter 809, Statutes of 1927; and chapters 656 and 832, Statutes of 1929, and making an appropriation therefor, to take effect immediately.

CONSIDERATION OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-SEVEN.

Senator Mixer asked for, and was granted, unanimous consent for the consideration of Senate Bill No. 277, without reference to committee.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34, of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 277:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 19, 1931.

To the Honorable Members of the Senate of the State of California.

Senate Bill No. 277 makes an appropriation to provide for preserving and making available for public use as a permanent record all data, records, maps, and reports made or collected pursuant to water resources investigations and studies heretofore made and authorized under chapter 889, Statutes of 1912; chapter 476 and 477, Statutes of 1925; chapter 809, Statutes of 1927, and chapters 656 and 832, Statutes of 1929.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

RESOLUTION.

The following resolution was offered:

By Senator Mixer:

Resolved, That Senate Bill No. 277 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 277.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-SEVEN.

Senate Bill No. 277—An act to provide for the preserving and making available for public use as a permanent record all data, records, maps and reports made or collected pursuant to water resources investigations and studies heretofore made and authorized under chapter 889, Statutes of 1921; chapters 476 and 477, Statutes of 1925; chapter 809; Statutes of 1927; and chapters 656 and 832, Statutes of 1929, and making an appropriation therefor, to take effect immediately.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 4. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 277 passed by the following vote:

AYES—Senators, Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOUR—
(RESUMED).

ASSEMBLY JOINT RESOLUTION No. 4.

Relative to the reimbursement of the State of California for moneys actually expended in aid of the government of the United States during the war between the states.

WHEREAS, The State of California has not been reimbursed for moneys actually expended by the State for costs, charges and expenses incurred in enrolling, equipping, transporting and paying its volunteer troops during the war between the states in response to the urgent calls of and under proper requisitions made by the Commanding General of the Military Department of the Pacific under direct authority of the President and the Secretary of War, upon the understanding that all such costs, charges and expenses actually incurred in raising troops for the United States would be reimbursed to the State, as shown by the letter from the Secretary of State, Hon. Wm. H. Seward, addressed to the Governor of California dated October 14, 1861, wherein he stated:

"The President has directed me to invite your consideration to the subject of the improvement and perfection of the defenses of the State over which you preside and to ask you to submit the subject to the consideration of the Legislature when it shall have assembled. Such proceedings by the State would require only a temporary use of its means. The expenditures ought to be made the subject of conference with the federal authorities. Being thus made with the concurrence of the government for general defense, there is every reason to believe that Congress would sanction what the State should do and would provide for its reimbursement"; and

WHEREAS, The record shows that the expenditures by the State of California on behalf of the United States were made with the knowledge, cooperation and approval of the Commanding General of the Department of the Pacific representing the federal authorities; and

WHEREAS, The expenditures made by the State of California for, and on account of the United States and at its most urgent calls, are set forth by the Comptroller General of the United States under date of August 14, 1930, in pursuance of a resolution of the Senate passed May 28, 1930, as follows:

Grand total sum actually expended by and not repaid the State of California on July 1, 1889, stated in the account set forth in the report of the Secretary of War made in pursuance of resolutions of the Senate of February 27, 1889, printed in Senate Executive Document No. 11, Fifty-first Congress, first session..... \$4,420,891 16

Plus, interest certified by the Treasurer of the State of California as actually paid by said State on the sums so advanced and expended from July 1, 1889, to December 31, 1929, \$571,104.17 interest on moneys borrowed through the sale of State bonds issued under authority of the act of the Legislature of the State of California of April 27, 1863; and \$1,470,150 interest on moneys similarly borrowed to carry out the provisions of the act of the Legislature of said State of April 4, 1864..... 2,041,254 17

Balance due the State of California..... \$6,462,145 35

(Senate Document No. 220, Seventy-first Congress, third session); and

WHEREAS, No part of the sum so actually expended for the benefit of the United States and at its request has been reimbursed the State of California, although the costs, charges and expenses, including interest (the Supreme Court of the United States in the New York case, 160 U. S. 598, having held interest paid by a State on moneys borrowed a proper cost or charge) incurred by other states in aid of the government during the war between the states have been paid said states; and

WHEREAS, The validity, equity and justness of these expenditures made by the State of California in aid of the federal government in times of great stress have often been admitted and never successfully disputed; and

WHEREAS, The Senate after thorough investigation has repeatedly passed bills providing for the reimbursement of the State of California, and the committees of the House of Representatives have likewise favorably reported bills for such reimbursement; and

WHEREAS, The Seventieth Congress, after many years of consideration, passed and the President approved an act providing for the reimbursement of the State of Nevada for costs, charges and expenses incurred in aid of the government during the war between the states identical in character and authorized under exactly similar circumstances as were the expenditures made by the State of California, thus recognizing the validity and merit of such expenditures; and

WHEREAS, It is deemed appropriate to quote, from among the many statesmen in Congress who have considered and assisted in establishing the justice of the reimbursement of California, three United States Senators who, on account of their prominence, experience and rank, are most competent to speak again in behalf of our State, namely:

"Senator Hawley of Connecticut (chairman of the Committee on Military Affairs): There is no sort of question as to its justice."

"Senator Eugene Hale of Maine (chairman of the Committee on Appropriations): The Senate is committed to these State claims by vote, by sentiment, and it is only a question of time when they will pass."

"Senator Teller of Colorado (chairman of the Committee on Claims): If there are any claims that are just and proper which the United States ought to pay, this is one of them. It is as sacred an obligation, in my judgment, as the national bonds"; and

WHEREAS, The State of California has been so long deprived of its rights respecting these expenditures upon part of which it is still paying interest, and as the State is now in such urgent need of the sum due from the United States, that it is believed if the attention of the Congress is again invited to this obligation, it will appreciate the justice of the State's request for reimbursement at this time; now, therefore, be it

Resolved by the Assembly the State of California, the Senate concurring, That we respectfully request our Senators and Representatives in the Congress of the United States to use all honorable means to secure the enactment by that body of a law providing for the reimbursement of the State of California in accordance with the accounting rendered by the Comptroller General of the United States hereinabove referred to, and that His Excellency, the Governor of the State of California be requested to forward to the President of the Senate, the Speaker of the House of Representatives, and to each of our Senators and Representatives in Congress a properly certified copy of this resolution.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Douel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixter, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, and Young—27.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 4 ordered transmitted to the Assembly.

EXPLANATION OF VOTE.

The following explanation of vote was presented by Senator McKinley, and ordered printed in the Journal:

In voting for Assembly Joint Resolution No. 4, I wish to state that in doing so I do not in any manner approve of the manner in which Assembly Bill No. 1175 was enacted into law in 1929, but that I expressly disapprove of it and regret that I, through negligence or inadvertence, voted for the bill. However it is now a question, whether we shall ask Congress to pay the claim or apparently waive our rights by

refusing to pass this resolution asking payment. It being better to receive the amount of the claim, less the amount contracted to be paid the attorneys, than to receive nothing, I voted for the resolution.

J. W. MCKINLEY, State Senator, Thirty-eighth District.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Mixer: Senate Bill No. 278—An act to repeal chapter 341, Statutes of 1919, entitled "An act to be known as the 'California Irrigation Act,' providing for cooperation between the State of California and the United States, and independent proceedings, in the storage and diversion of water, the distribution thereof for irrigation and other beneficial uses and purposes, the generation and manufacture of electric power; creating an Irrigation Board, and providing for the formation of irrigation districts and conservation districts, and the conversion of irrigation districts, reclamation districts, drainage districts and other political subdivisions of the State organized for the purpose of promoting irrigation, reclamation and drainage, into irrigation districts under this act; and empowering said Irrigation Board to make and approve contracts and agreements, to construct reservoirs and other works, divert, distribute and sell water and lease and sell water rights, and generate, lease and sell electric power, to apportion to the constituent units of conservation districts the water and electric power to be produced and generated by conservation district works, to levy assessments, and issue bonds of irrigation districts and conservation districts; providing for the management, control and supervision of such irrigation districts and conservation districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; and generally providing a policy relating to the storage, diversion and use of water and the manufacture or generation of electric power, and adopting a plan for providing revenues therefor; and repealing the California Irrigation Act, approved June 4, 1915, and chapter 646 of the Statutes of 1917, approved May 28, 1917, and amendatory thereof," approved May 16, 1919.

Bill read first time, and referred to Committee on Irrigation.

By Senator Inman: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, adding to article XIII thereof a new section to be numbered 1c, relative to revenue and taxation.

Referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At three o'clock and eight minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Tuesday, January 20, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, January 20, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names.

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duell, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, January 19, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Superior Judge James Conlan and Mrs. Conlan of San Francisco, California.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. B. Harter of Yuba City.

LEAVES OF ABSENCE.

Senator Rochester was, on motion of Senator Carter, granted leave of absence for this day.

Senator Cleveland was, on motion of Senator Christian, granted leave of absence for this day.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Edwards: Senate Bill No. 279—An act to amend section 718 of the Civil Code relating to leasing property by municipalities.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Evans: Senate Bill No. 280—An act to amend section 6.4 of the School Code, relating to the payment of assessments levied against real property owned by, or under the control of, boards of school trustees and city boards of education.

Bill read first time, and referred to Committee on Education.

By Senator Schottky: Senate Bill No. 281—An act to amend section 629 of the Penal Code, relating to the installation of fish screens over mill races, irrigation ditches, pipes, flumes, tunnels and canals, for the payment of the expense of the construction, installation and maintenance thereof, and providing a penalty for the interference therewith.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Williams: Senate Bill No. 282—An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal chapter 615, Statutes of 1929, entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection

and supervision of same and to provide penalties for the violation of the provisions thereof," approved May 31, 1929.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Nelson: Senate Bill No. 283—An act to amend section 44 of the "California Vehicle Act" relating to the registration of vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Nelson: Senate Bill No. 284—An act to amend section 4249 of the Political Code, relating to the salaries and compensation of officers in counties of the twentieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Nelson: Senate Bill No. 285—An act making an appropriation to pay the claim of John H. Hellard against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Nelson: Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Fellom: Senate Joint Resolution No. 7—Relative to memorializing Congress to adopt legislation consenting to the construction, maintenance and operation of a toll bridge across San Francisco Bay and granting a right of way therefor across Yerba Buena Island.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER SEVEN.

Senators Fellom and Breed asked for, and were granted, unanimous consent for the consideration of Senate Joint Resolution No. 7, without reference to committee, for purpose of adoption.

SENATE JOINT RESOLUTION No. 7.

Relative to memorializing Congress to adopt legislation consenting to the construction, maintenance and operation of a toll bridge across San Francisco Bay and granting a right of way therefor across Yerba Buena Island.

WHEREAS, A special commission was appointed to report upon the necessity of a bridge across San Francisco Bay from the City and County of San Francisco to the county of Alameda; the practicability of such a bridge from an engineering and a financial viewpoint; and the most suitable location therefor, considered in relation to the needs of national defense and the interests of navigation; and

WHEREAS, This commission, after many months of study, has recommended the construction of a bridge to extend from Rincon Hill in San Francisco to Yerba Buena Island and thence to the Alameda County shore; and

WHEREAS, The California Toll Bridge Authority and the State Department of Public Works of the State of California propose to construct such a bridge under laws of the State of California declaring it to be the policy of said State to own all toll bridges situated upon or along any part of the highways of said State, with the end in view of eliminating all toll charges thereon as soon as possible; and

WHEREAS, The consent of Congress is desired to construct, maintain and operate such a bridge under the control and direction of said State agencies; and, also, to the use of a portion of Yerba Buena Island for right of way purposes in connection with such project, supplementing such permits as may be issued therefor by the proper federal departments; and

WHEREAS, Such a toll bridge will immeasurably promote and facilitate State and interstate traffic and commerce, and will provide better postal, military and other services of value to the nation; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly. That the Legislature of the State of California urgently petition and request the Congress of the United States to adopt legislation consenting to the California Toll Bridge Authority and the Department of Public Works of the State of California constructing, maintaining and operating such a toll bridge across San Francisco Bay, as hereinbefore described, and granting the necessary right of way and incidents thereto for constructing said bridge to and over Yerba Buena Island located in said bay; and be it further

Resolved. That a copy of this resolution be sent to the President of the United States, the Vice President, the Speaker of the House of Representatives and to the Senators and Representatives of the State of California in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 7 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—33.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 7 ordered transmitted to the Assembly.

AMENDMENTS TO SENATE CONCURRENT RESOLUTION NUMBER THIRTEEN.

AMENDMENT NUMBER ONE.

On page 3, lines 36 and 37, of the printed resolution, strike out the following: "by and with the written assent of the author filed with it,".

AMENDMENT NUMBER TWO.

On page 3, line 41, of the printed resolution, strike out the following: "provided that no", and insert in lieu thereof "but the attention of the author shall be called to any changes made. No".

Pursuant to the notice of the motion to amend Senate Concurrent Resolution No. 13, as given on the previous legislative day, Senator Breed moved the adoption of the amendments.

Motion carried, and amendments adopted.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER THIRTEEN.

SENATE CONCURRENT RESOLUTION No. 13.

Relative to joint rules of Senate and Assembly.

Resolved by the Senate, the Assembly concurring. That the following be adopted as the joint rules of the two houses of the Legislature for its forty-ninth session:

JOINT RULES OF SENATE AND ASSEMBLY.

COMMITTEES AND COMMITTEE MEETINGS.

Standing Committees.

1. Subject to the right of either house to appoint additional committees, the following standing committees shall be appointed in the Senate and Assembly, the number of members and the manner of selection to be determined by the rules of each house:

- (1) Agriculture.
- (2) Banking.
- (3) Building and Loan Associations.
- (4) Commerce and Navigation.
- (5) Conservation.
- (6) Constitutional Amendments.
- (7) County Government.
- (8) Drainage, Swamp and Overflowed Lands.
- (9) Education.
- (10) Elections.
- (11) Federal Relations.
- (12) Finance in the Senate and Ways and Means in the Assembly.
- (13) Fish and Game.
- (14) Hospitals and Asylums.
- (15) Insurance.

- (16) Irrigation.
- (17) Judiciary.
- (18) Labor and Capital.
- (19) Military Affairs.
- (20) Mines and Mining.
- (21) Municipal Corporations.
- (22) Oil Industries.
- (23) Prisons and Reformatories.
- (24) Public Health and Quarantine.
- (25) Public Morals.
- (26) Public Utilities.
- (27) Revenue and Taxation.
- (28) Roads and Highways.
- (29) Rules.

Joint Committees.

2. Joint standing committees of Senate and Assembly shall be appointed as follows:

(1) Committee on Revision and Printing, to consist of three (3) members from the Senate and five (5) from the Assembly.

(2) Committee on Joint Rules, to consist of the members of the rules committee of each house.

Joint Meeting of Committees.

3. Whenever any bill has been referred by the Senate to one of its committees, and the same or a like bill has been referred by the Assembly to one of its committees, the chairmen of the respective committees, when in their judgement the interests of legislation or the expedition of business will be better served thereby, shall arrange for a joint meeting of their committees for the consideration of such bill.

BILLS AND RESOLUTIONS.

Scope of Word "Bill."

4. Whenever the word "bill" is used in these rules it shall include constitutional amendments, joint and concurrent resolutions.

Joint and Concurrent Resolutions

5. Joint resolutions are those which relate to matters connected with the federal government. All other resolutions relating to matters to be treated by both houses of the Legislature are concurrent resolutions.

Resolutions Treated as Bills.

6. Joint resolutions, concurrent resolutions and constitutional amendments shall be treated in all respects as bills; except that they shall be read but one time in each house and that they shall not be deemed bills within the meaning of section 2 of article IV of the constitution, and shall not be referred to the Committee on Introduction of Bills, and shall not require a vote to authorize their introduction. As in the case of bills, they shall be engrossed in the house in which they originate before being voted upon.

PREPARATION AND INTRODUCTION OF BILLS.

Title of Bill.

7. The title of every bill introduced shall convey an accurate idea of the contents of the bill and shall be indicative of the scope of the act and the object to be accomplished. In amending a code section, the mere reference to the section by number shall not be deemed sufficient.

Division of Bill Into Sections.

8. Bills amending more than one section of existing laws shall contain a separate section for each section amended.

Bills which are not amendatory of existing laws shall be divided into short sections, where this can be done without destroying the sense of any particular section, to the end that future amendments may be made without the necessity of setting forth and repeating sections of unnecessary length.

Changes in Existing Law to Be Marked by Author.

9. In case of a bill amending a code section or a general law, any new matter shall be underlined and any matter to be omitted shall have a single horizontal line through the center. When printed the new matter shall be printed in italics and the matter to be omitted shall be printed in canceled or "strikeout" type.

Committee on Revision and Printing to Examine Bills When Introduced.

10. Unless otherwise ordered by the house in which the bill was introduced, all bills before being printed shall be immediately sent to the Committee on Revision and Printing, which shall examine the bill, with the aid of the Legislative Counsel Bureau. The committee shall have authority to correct any clerical error such as in orthography, adding or correcting the enacting clause, mistakes in numbering sections and references thereto, errors in grammar, phraseology, or in the form of the bill,

but the attention of the author shall be called to any change made. No bill which bears the stamp of the Legislative Counsel Bureau showing that before introduction it has been examined as to form, shall be sent to the Committee on Revision and Printing. Whenever any provision of law or of the rules shall refer to the Senate Committee on Printing, or Engrossment, Enrollment and Printing, such reference shall be deemed to mean the Committee on Revision and Printing, provided for in these rules.

NOTE—The submission of bill copy to Legislative Counsel Bureau for approval of form before introduction will expedite its course.

Bills Introduced to Indicate Changes in Existing Laws.

11. The Committee on Revision and Printing shall see to it that rules 7 and 9 of these joint rules are observed by the author, and that the bill shall not be sent to the printer until the provisions of these rules have been carried out.

Reports of Committee on Revision and Printing.

12. The Committee on Revision and Printing shall return to the Secretary of the Senate or Chief Clerk of the Assembly all bills in the order in which they were sent to it, but shall not retain any bill for longer than three legislative days, unless otherwise ordered.

Endorsement of Date of Introduction.

13. Bills introduced in either house shall be endorsed with the date of introduction.

PRINTING AND DISTRIBUTION OF BILLS.

Manner of Printing Bills, etc.

14. The State Printer shall observe the following directions in printing all bills, constitutional amendments, joint and concurrent resolutions:

(a) The body of such bills and resolutions shall be printed in solid unspaced form so that the same type shall be used both before and after enrollment.

(b) All titles of bills, resolutions, etc., shall be set in italics, statute form, and the length of the lines used in the titles shall not exceed that of the body of the bill.

(c) The lines of all printed bills shall be numbered by page and not by sections, and amendments shall be identified by reference to title, page and line only; *provided, however*, that concurrent resolutions approving city or county or city and county charters or amendments thereto may be set in smaller type and without line numbers.

(d) Enrolled bills may be inclosed in stock cover.

Printing of Amendments.

15. All bills amended by either house shall be immediately reprinted; in the case new matter is added by the amendment such new matter shall be printed in italics in the printed bill, and in the case of matter being omitted, the matter to be omitted shall be printed in type bearing a horizontal line through the center and commonly known as "strikeout" type. When a bill is amended in either house, the first or previous markings shall be omitted. When a bill amendatory of a code section or general law is engrossed, all figures or symbols shall be removed.

Distribution of Bills During Constitutional Recess.

16. All requests for mailing or distribution by the members shall be filed with the Secretary of the Senate or Chief Clerk of the Assembly, who shall compile the same with the elimination of duplication as a general mailing list. The distribution of bills, constitutional amendments, joint and concurrent resolutions shall be systemized as follows: Members' clerks and legislative officers' files, one hundred fifty full sets; to authors, fifty copies of their own bills; accredited newspaper representatives, twenty-five; to public and law libraries, newspapers, county officials, and other civic, commercial, fraternal or industrial organizations as the Secretary of the Senate and Chief Clerk of the Assembly may compile from the recommendations of the members of both houses, one thousand two hundred copies; to State officers, State Library and Secretary of State, two hundred copies; to legislative committees, bill room files and public requests—confined to single copies of bills designated—one thousand copies. The State Printer shall cause to be printed in the standard form adopted by the Senate and the Assembly as many copies of all bills, constitutional amendments and joint or concurrent resolutions as may be necessary to conform to the provisions of this rule.

A similar number and distribution shall be made of the Semifinal History and Final Calendar.

Distribution of Bills After Constitutional Recess.

17. Following the recess, new bills introduced shall be forwarded to the public libraries and law libraries only, and one copy each of amended bills as may be requested. Weekly Histories and Journals shall be distributed generally, following the recess, upon such schedule as the Secretary of the Senate and Chief Clerk of the Assembly may designate.

OTHER LEGISLATIVE PRINTING.

Printing of the Daily Journal.

18. The State Printer shall print one thousand copies of the Journal of each day's proceedings of each house; at the end of the session he shall also print a sufficient number of copies, properly paged after being corrected and indexed by the Secretary of the Senate and Chief Clerk of the Assembly, to bind in book form as the Journal of the respective houses of the Legislature as required by law.

What Shall Be Printed in the Journal.

19. The following shall always be printed in the Journal of each house:

(a) Messages from the Governor and messages from the other house, and the titles of all bills, joint and concurrent resolutions and constitutional amendments when introduced in, offered to, or acted upon by the house, and the title and text of joint and concurrent resolutions and constitutional amendments when adopted by the house; *provided*, that in the case of a concurrent resolution approving the adoption of a charter or charter amendments of any kind, the text of such charter or charter amendments need not be printed in the Journal.

(b) Every vote taken in the house, and a statement of the contents of each petition, memorial or paper presented to the house.

(c) A true and accurate account of the proceedings of the house, when not acting as a committee of the whole.

Printing of the Daily File.

20. A daily file of bills ready for consideration shall be printed each day for each house, and copies of the file of each house shall be distributed each day to all of the members of both houses.

Printing of History.

21. Each house shall cause to be printed on Monday of each week, during the session, a complete History of all bills, joint or concurrent resolutions and constitutional amendments originating in or acted upon by the respective houses.

Such History shall show the action taken upon each measure up to and including the legislative day preceding its issuance.

For each legislative day intervening there shall be printed a Supplementary History showing the action taken upon any measure since the issuance of the complete History. A regular form shall be prescribed and no other form shall be used.

Immediately following the adjournment for the constitutional recess the History shall be compiled and printed to date of recess.

Authority for Printing Orders.

22. The Superintendent of State Printing shall not print for use of either house any matter other than provided by law or by these rules, except upon a written order signed by the Secretary of the Senate or the Chief Clerk of the Assembly. The Secretary of the Senate and the Chief Clerk of the Assembly may also, when necessity requires it, order certain matter printed in advance of the regular order, by the issuance of a rush order.

RECORD OF BILLS.

Secretary and Chief Clerk to Keep Register.

23. The Secretary of the Senate and the Chief Clerk of the Assembly shall keep a register, in which shall be recorded every action taken by the Senate and Assembly on every bill, concurrent or joint resolution or constitutional amendment.

Secretary and Chief Clerk Shall Endorse Bills.

24. The Secretary of the Senate and the Chief Clerk of the Assembly shall endorse on every original bill a statement of any action taken by the Senate and Assembly.

ACTION IN ONE HOUSE ON BILL TRANSMITTED FROM THE OTHER.

Bills Read and Referred to Committee.

25. When a Senate bill has been received by the Assembly or an Assembly bill by the Senate, with a message announcing that the same has passed the Senate or Assembly, such bill shall be read the first time by the Secretary or the Chief Clerk and referred to a standing committee by the presiding officer, unless otherwise ordered by the house.

After a Bill Has Been Passed by the Senate or Assembly.

26. When a bill (if it be a Senate bill) has been received from the Senate by the Assembly, after its passage, or (if it be an Assembly bill) has been received from the Assembly by the Senate after its passage, it shall be taken up by the Senate or Assembly, as the case may be, under the regular order of business ("Senate messages" or "Assembly messages"), read the first time, unless otherwise ordered by the house, and shall then be assigned to the proper committee, unless otherwise ordered, who shall act upon the same as soon as practicable, and report the same back to the Senate or Assembly forthwith, and the chairman of each committee is charged with observance of this rule.

Special File.

27. On the second day after the close of the recess provided for in section 2, article IV of the constitution, the Senate and Assembly shall each adopt and provide a special file upon which shall be placed: In the Senate, only Assembly bills that have passed the Assembly; and in the Assembly, only Senate bills that have passed the Senate. Such special file shall be taken up at two o'clock p.m. of each day in the Assembly and at two o'clock and thirty minutes p.m. of each day in the Senate and be considered at least one hour and a half after being so taken up unless its consideration shall be completed in a lesser period of time. This rule shall not be suspended in either house except by a three-fourths vote of such house.

REPORTS FROM ONE HOUSE TO THE OTHER AS TO ACTION ON BILL.

Bill or Resolution in One House, Rejected in the Other, Requires Notice.

28. When a bill or resolution which shall have passed one house is rejected by the other, notice thereof shall be given immediately to the house in which the same shall have passed.

Each House to Transmit Papers.

29. Each house shall transmit to the other papers on which any bill or resolution shall be founded.

Notices to Be in Writing Under Proper Signatures.

30. Notice of the action of either house to the other shall be in writing and under the signature of the Secretary of the Senate or the Chief Clerk of the house from which such notice is to be conveyed.

Secretary, Chief Clerk, etc., to Dispatch Messages.

31. Messages shall be sent to the other house by an officer or attache to be designated by the Secretary, if it be a Senate message, or by the Chief Clerk, if it be an Assembly message.

Messages Must Be Announced by the Sergeant-at-Arms.

32. When a message shall be sent from either house it shall be announced at the door by the Sergeant-at-Arms, and shall be respectfully communicated to the presiding officer by the person by whom it may be sent.

PASSAGE AND ENROLLING OF BILLS.

Passage of Bills Taking Effect Immediately.

33. Each house shall act in the usual course upon all bills that may be made to take effect immediately, under the provisions of section 1, article IV of the constitution.

Passage of Urgency Provisions in Bills.

34. Upon the third reading of an act which is an urgency measure within the meaning of section 1, article IV of the State constitution, the presiding officer shall direct that the section of said act setting forth the facts constituting the necessity for such urgency (which shall be known as the urgency section) be then read and put to vote. The question shall be thus stated: "Shall this section, setting forth the urgency features of this bill, be passed?" If upon such final vote two-thirds of all the members elected to the house in which the vote is being taken shall not vote in the affirmative, no further action shall be taken on the bill; but, in case an identical bill without such an emergency clause be again introduced into such house, such bill shall be placed on file without reference to any committee.

Passage of Bills Preceding Final Adjournment.

35. No Senate bill shall be passed by the Senate and no Assembly bill shall be passed by the Assembly within seven days of the time set for adjournment *sine die* of the two houses of the Legislature, unless permission to vote on such bill shall be granted by a three-fourths vote of the house of its origin after being recommended by the presiding officer thereof.

Enrollment of Bill After Passage.

36. After a bill shall have passed both houses, it shall be duly enrolled after being carefully compared, by the engrossing and enrolling clerk and committee of the house in which it originated, with the engrossed bill, as passed in the two houses. It shall then receive the signatures provided for in joint rule 37, and be presented to the Governor of the State.

Enrolling Committee to Present Bills to Governor.

37. After a bill shall have been thus passed in each house, it shall be presented by the engrossing and enrolling committee of the house in which it originated to the Governor of the State for his approval (it being first endorsed by the presiding officers of the two houses, and by the Secretary of the Senate and the Chief Clerk of the Assembly). The said committee shall report the day of presentation to the Governor, which time shall be carefully entered on the Journal of the house in which the bill originated.

AMENDMENTS AND CONFERENCES.

Amendments to Amended Bills Must Be Attached.

38. Whenever a bill or resolution which shall have been passed in one house shall be amended in the other, it shall immediately be reprinted as amended by the house making such amendment or amendments. Such amendment or amendments shall be attached to the bill or resolution so amended, and endorsed "adopted," and such amendment or amendments, if concurred in by the house in which such bill or resolution originated, shall be endorsed "concurred in," and such endorsement shall be signed by the Secretary or Assistant Secretary of the Senate, or the Chief Clerk or Assistant Clerk of the Assembly, as the case may be; *provided, however*, that an amendment to the title of a bill adopted after the passage of such bill shall not necessitate reprinting, but such amendment must be concurred in by the house in which such bill originated.

To Concur or Refuse to Concur in Amendments.

39. In case the Senate amend and pass an Assembly bill, or the Assembly amend and pass a Senate bill, the Senate (if it be a Senate Bill) or the Assembly (if it be an Assembly bill) must either "concur" or "refuse to concur" in the amendments. If the Senate concur (if it be a Senate bill), or the Assembly concur (if it be an Assembly bill), the Secretary or Chief Clerk shall notify the house making the amendments and the bill shall be ordered to enrollment.

When Senate or Assembly Refuse to Concur.

40. If the Senate refuse to concur (if it be a Senate bill), or the Assembly refuse to concur (if it be an Assembly bill), the Secretary or the Chief Clerk shall notify the house making the amendments of such refusal, and ask that they recede from their amendments. If they refuse to recede, the presiding officer shall appoint a committee of three (3) on conference and the Secretary or the Chief Clerk shall immediately notify the other house of the action taken and request the appointment of a like committee. Two of the members comprising such committee from each house shall be selected from those voting with the majority on the point about which the difference has arisen, and the other member from each house of such committee shall be selected from the minority, in the event there is a minority vote. The first Senator named on the free conference committee shall act as chairman of the committee from the Senate, and the first Assemblyman named on such committee shall act as chairman of the committee from the House, and the chairman thus selected shall arrange the time and place of all meetings and prepare or direct the preparation of reports. The Committee on Free Conference shall report to both the Senate and Assembly.

Committee on Free Conference.

41. In every case of an amendment of a bill agreed to in one house and dissented from in the other, if either house shall request a conference and appoint a committee to confer, the other house shall appoint a like committee; and such committee shall meet at a convenient hour, to be agreed upon by the respective chairmen of the committees.

Report of Committee on Free Conference.

42. The report of the Committee on Free Conference shall not be subject to amendment, and if either house refuse to adopt such report the conferees may be discharged and other conferees appointed.

It shall require the affirmative vote of not less than four of the members constituting the committee to agree upon a report. No member who has served on a Committee on Free Conference shall be appointed a member of another Committee on Free Conference on the same bill.

When Conference Committee Report Is in Order.

43. The presentation of the report of a Committee on Free Conference shall always be in order, except when the Journal is being read or a question of order or a motion to adjourn is pending, or during roll call, and, when received, the question of proceeding to the consideration of the report, if raised, shall be immediately passed upon, and shall be determined without debate.

Miscellaneous Provisions.

44. The Committee on Joint Rules shall be empowered to compile a list of suggestions as to the form of bills and resolutions prepared for introduction into the Legislature.

Press Rules.

45. A person desiring recognition by the Senate or Assembly as a newspaper correspondent shall make application in writing to the President of the Senate or Speaker of the Assembly.

(a) The applicant shall state in writing the name of the newspaper or newspapers he represents and that he is not engaged and will not become engaged as a lobbyist for any person, copartnership, corporation or interest and that he is not and will not become the agent or representative of any person, copartnership, organization or cor-

poration in advocating or attempting to defeat any measure pending in either branch of the Legislature, that he is not employed in any executive, administrative or legislative department of the State government and will not become so employed while accepting the privileges of a press representative.

(b) It shall be the duty of the President of the Senate and the Speaker of the Assembly to assign one or more rooms for the exclusive use of correspondents during the legislative session, which room shall be known as the press room. The press room shall be under the control of the Superintendent of the Capitol Building and Grounds; *provided*, that all rules and regulations shall be approved by the President of the Senate and Speaker of the Assembly.

Adjournment.

46. Adjournment for the constitutional recess and adjournment sine die shall be made only by concurrent resolution; and the resolution for adjournment sine die shall be passed by both houses at least fourteen days before the date of such adjournment.

Joint Address to Governor.

47. When the Senate and Assembly shall judge it proper to make a joint address to the Governor, it shall be presented to him in his audience chamber by the President of the Senate in the presence of the Speaker of the Assembly and a select committee of six members from each house appointed by the respective presiding officers.

Dispensing With Joint Rules.

48. No joint rule shall be dispensed with except by a vote of two-thirds of each house; and joint rules 27 and 35 can be dispensed with only in the manner provided for in said joint rules. If either house shall violate a joint rule a question of order may be raised in the other house and decided in the same manner as in the case of the violation of the rules of such house; and if it shall be decided that the joint rules have been violated, the bill involving such violations shall be returned to the house in which it originated, without further action. Or, at the option of such house, the President or Speaker may direct the Secretary or the Chief Clerk to mark the section or sections in conflict with the rules as nonconcurring in or negated.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 13 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 13 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Carter: Senate Bill No. 287—An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Deuel: Senate Bill No. 288—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Deuel: Senate Bill No. 289—An act to amend chapter 207, Statutes of 1921, entitled "An act to authorize counties to cooperate with the Secretary of Agriculture of the United States for the survey, construction and maintenance of roads and trails, and to pay part of the expenses thereof, pursuant to the provisions of section 8 of the act of Congress approved July 11, 1916, entitled 'An act to

provide that the United States shall aid the states in the construction of rural post roads and for other purposes." approved May 23, 1921, relating to roads and trails.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Deuel: Senate Bill No. 290—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Deuel: Senate Bill No. 291—An act recognizing and declaring valid the Richvale Irrigation District and approving and declaring valid all proceedings on formation and organization of said district.

Bill read first time, and referred to Committee on Irrigation.

By Senator Carter: Senate Bill No. 292—An act to amend sections 4.1001, 4.1022, 4.1024, 4.1026, 4.1091, 4.1113, 4.1118, 4.1211, 4.1233, 4.1238, 4.1301, 4.1323 and 4.1325 of the School Code, relating to bonds of school districts.

Bill read first time, and referred to Committee on Education.

By Senator Deuel: Senate Bill No. 293—An act making an appropriation to pay the claim of Charles Houghton against the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Nelson: Senate Bill No. 294—An act to amend section 24 of chapter 34, Statutes of 1927, entitled the "State Bar Act," as amended, relating to admission to practice law, and to repeal sections 275, 276, 276a, 277, 279, 280 of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tubbs: Senate Bill No. 295—An act to repeal chapter 80, Statutes of 1921, entitled "An act to enforce the provisions of article XVIII of the amendments to the constitution of the United States; prohibiting all acts or omissions prohibited by the Volstead Act; imposing duties on courts, prosecuting attorneys, sheriffs and other officers, and extending their jurisdiction; and providing for the disposition of fines and forfeitures," approved May 7, 1921.

Bill read first time, and referred to Committee on Public Morals.

By Senator Ingels: Senate Bill No. 296—An act making an appropriation to pay the claim of John Wilson against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Ingels: Senate Bill No. 297—An act making an appropriation to pay the claim of F. F. Hibberd against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Ingels: Senate Bill No. 298—An act making an appropriation to pay the claim of W. C. Hunter against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Rochester: Senate Bill No. 299—An act requiring privately owned radio broadcasting stations to keep a public record of all sums received as gifts.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Ingels: Senate Bill No. 300—An act to amend section 1197 of the Political Code, relating to election ballots.

Bill read first time, and referred to Committee on Elections.

By Senator Cassidy: Senate Bill No. 301—An act to amend section 737*cc* of the Political Code relating to salary of superior court judge.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator McKinley: Senate Bill No. 302—An act to add a new section to the Penal Code to be numbered 496*c*, relating to the theft of the contents of any private and unpublished paper, book or record containing information relating to the title to real property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 303—An act to add a new section to the Political Code to be numbered 363*g*, relating to the Department of Public Works.

Bill read first time, and referred to Committee on Governmental Efficiency.

RECESS.

On motion of Senator Breed, at ten o'clock and fifty-five minutes a.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened. President pro tempore of the Senate Arthur H. Breed, in the chair. Secretary Joseph A. Beek at the desk.

RESOLUTION.

The following resolution was offered:

By Senator Mixer:

Be it Resolved, By the Senate, that the sincere thanks of this body be extended to Senator Cassidy and the Ski Club of Auburn, for the delightful entertainment accorded the members of the Legislature and their families who availed themselves of the invitation to take part in the winter sports program on Sunday, January 18, 1931; and be it further

Resolved, That the Secretary of the Senate be requested to deliver a copy of this resolution to Senator Cassidy and forward a copy of the same to the president of the Ski Club of Auburn, California.

Resolution read, and on motion of Senator Mixer, seconded by Senator Edwards, adopted.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Allen: Senate Bill No. 304—An act to amend section 626c of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Baker: Senate Bill No. 305—An act to amend sections 94 and 111½ of chapter 266, Statutes of 1923, entitled the "California Vehicle Act," relating to the mechanical condition of motor vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Baker: Senate Bill No. 306—An act granting to the city of Pacific Grove the title to the waterfront of said city, together with certain submerged lands in the bay of Monterey contiguous thereto.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Ingels: Senate Bill No. 307—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Baker: Senate Bill No. 308—An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof.

Bill read first time, and referred to Committee on County Government.

By Senator Inman: Senate Bill No. 309—An act making an appropriation to pay the claim of Kenneth Hineckley against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Inman: Senate Bill No. 310—An act making an appropriation to pay the claim of Oscar O'Brien against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Inman: Senate Bill No. 311—An act to provide for the impounding and utilization of the waters of the American River for flood control, river flow control and equitation, domestic use, irrigation, reclamation, power development, or any one or more of such or other public uses; authorizing the State Department of Finance to acquire for the State property useful in connection therewith; defining the powers and duties of State officers and departments and of public and private agencies in relation thereto; authorizing the leasing of property of the State for any one or more of such uses and specifying certain terms and conditions to which said lease shall be subject.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Allen: Senate Concurrent Resolution No. 17—Relative to an investigation to determine the effect of the open and closed season on trout in all landlocked waters in fish and game district 13.

Referred to Committee on Fish and Game.

By Senator Ingels: Senate Concurrent Resolution No. 18—Relative to highway extension for the purpose of developing agriculture and natural resources.

Referred to Committee on Roads and Highways.

By Senator Schottky: Senate Bill No. 312—An act to amend the California Irrigation District Act by amending sections 35, 37, 38, 41 and 78 thereof, relating to assessments and exclusion of land.

Bill read first time, and referred to Committee on Irrigation.

By Senator Schottky: Senate Bill No. 313—An act to amend section 12, chapter 690, Statutes of 1913, entitled the "Direct Primary Law," relating to form of ballots.

Bill read first time, and referred to Committee on Elections.

By Senator Schottky: Senate Bill No. 314—An act to amend section 634 of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Breed: Senate Bill No. 315—An act to amend section 456 of the Political Code, relating to the employees in the office of the State Treasurer, and fixing their salaries.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Young: Senate Bill No. 316—An act to revise chapter 712, Statutes of 1921, entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, as amended.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

SENATOR MCKINLEY IN THE CHAIR.

At two o'clock and twenty-eight minutes p.m., Senator McKinley of the Thirty-eighth District was called to the chair.

WITHDRAWAL OF SENATE BILL NUMBER TWO HUNDRED FOUR.

Senator Crittenden moved, seconded by Senator Fellom, that Senate Bill No. 204 be withdrawn from Committee on Commerce and Navigation for purpose of consideration, at this time.

Motion carried and such was the order.

Senate Bill No. 204—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters.

RESOLUTION.

The following resolution was offered:

By Senator Crittenden:

Resolved, That Senate Bill No. 204 represents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 204.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED FOUR.

Senate Bill No. 204—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters.

AMENDMENT FROM THE FLOOR.

During second reading of the bill, the following amendment was offered, and its adoption moved by Senator Crittenden:

AMENDMENT NUMBER ONE.

On page 1, line 24, of the printed bill, after the word "no", insert the following: "such free county".

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of facts constituting such urgency: The boards of supervisors of the respective counties have no authority to erect the bridges herein referred to, and it is necessary for the public peace, health and safety that such bridges be constructed immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 204 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered to print, and transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, January 20, 1931.

MR. PRESIDENT: Your Committee on Military Affairs to which was referred Assembly Joint Resolution No. 1—Relative to memorializing Congress to amend the World War Veterans Act by providing for the cash payment of the surrender value of adjusted service certificates—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes—6; noes—2.

HAYS, Chairman.

Assembly Joint Resolution No. 1 ordered on file.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 20, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 1—Relative to inaugural ceremonies—and reports that the same has been correctly enrolled and presented to the Governor on the sixth day of January, 1931, at five o'clock p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 2—Approving certain amendments to the charter of the city of Oakland, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930;

Also: Senate Concurrent Resolution No. 3—Approving five certain amendments to the charter of the City and County of San Francisco, State of California, voted for and ratified by the electors of said City and County of San Francisco, at a general election, held therein on the fourth day of November, 1930;

Also: Senate Concurrent Resolution No. 5—Relative to amendment to the charter of the city of Salinas voted and ratified by the electors of said city, at the regular election held on the fourth day of November, 1930;

Also: Senate Concurrent Resolution No. 8—Approving certain amendments to the charter of the city of Glendale, a municipal corporation in the county of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930;

And reports that the same have been correctly enrolled and presented to the Governor on the nineteenth day of January, 1931, at four o'clock and thirty minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 105—An act making an appropriation to meet a deficiency in the appropriation for support of the District Court of Appeal for the Fourth Appellate District for the eighty first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately—and reports that the same has been correctly enrolled and presented to the Governor on the sixteenth day of January, 1931, at one o'clock and thirty-five minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 4—Approving certain amendments to the charter of the county of Alameda, State of California;

Also: Senate Concurrent Resolution No. 6—Approving eight certain amendments to the charter of the city of Los Angeles, in the county of Los Angeles, State of California, voted for and ratified by the electors of said city of Los Angeles at a special municipal election held therein on the fourth day of November, 1930;

Also: Senate Concurrent Resolution No. 9—Approving certain amendments to the charter of the city of Piedmont, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at the special municipal election, held therein on the fourth day of November, 1930;

Also: Senate Joint Resolution No. 1—Relating to the retrocession by the Congress of the United States of jurisdiction over the proposed rights of way for the approach roads, toll plazas and bridge ends of the proposed Golden Gate Bridge;

And reports that the same have been correctly enrolled and presented to the Governor on the nineteenth day of January, 1931, at three o'clock and thirty minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 1—An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the eighty-first and eighty-second fiscal years—and reports that the same has been correctly enrolled and presented to the Governor on the eighth day of January, 1931, at three o'clock p.m.

RILEY, Chairman.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 277—An act to provide for preserving and making available for public use as a permanent record all data, records, maps and reports made or collected pursuant to water resources investigations and studies heretofore made and authorized under chapter 889, Statutes of 1921; chapters 476 and 477, Statutes of 1925; chapter 809, Statutes of 1927; and chapters 656 and 832, Statutes of 1929, and making an appropriation therefor, to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Senate Bill No. 277 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 6—Relative to memorializing the Congress of the United States to designate "The Star-Spangled Banner" as the national anthem of the United States of America.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Senate Joint Resolution No. 6 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 16—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield, at a general State election held therein on the fourth day of November, 1930.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

Senate Concurrent Resolution No. 16 ordered to enrollment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Slater: Senate Bill No. 317—An act to amend section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," relating to funds.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Young: Senate Bill No. 318—An act to amend sections 6a, 6b and 16 and to repeal sections 7, 8, 13 and 14 of the "Narcotic

Rehabilitation Act," relating to government of the State Narcotic Hospital, commitments, discharge and parole of inmates; prohibiting escapes and prescribing penalties.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Cleveland: Senate Bill No. 319—An act to amend section 873 of the Code of Civil Procedure, relating to the time of trial in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cleveland: Senate Bill No. 320—An act to amend section 4255 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Cleveland: Senate Bill No. 321—An act to amend section 384 of the Penal Code, relating to fires.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Cleveland: Senate Bill No. 322—An act to amend section 2322a of the Political Code, relating to county horticultural commissioners.

Bill read first time, and referred to Committee on County Government.

By Senator Cleveland: Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or irrigation ditches.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Young: Senate Bill No. 324—An act to add a new section to the Penal Code, to be numbered 626½, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

ADJOURNMENT.

At two o'clock and forty minutes p.m., on motion of Senator Breed, the Presiding Senator declared the Senate adjourned until ten o'clock a.m., Wednesday, January 21, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, January 21, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Senators Allen, Baker, Beaul, Bush, Carter, Cassady, Christian, Cleveland, Crittenden, Deuel, Donald, Edwards, Evans, Feltom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCannett, McKenna, Myster, Mowen, Nelson, Petroski, Rich, Riley, Schottky, Stanley, Slater, Spring, Talbot, Wagy, Williams, and Young. 35

Quorum present.

PRAYER

Prayer was offered by the Chairman, Rev. Sherman L. Davine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, January 20, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Rochester was, on motion of Senator Carter, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Frank Brady of San Francisco.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to F. F. Showers of Madera, and Jack Hollday, secretary of Madera County Farm Bureau.

On request of Senator Brand, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Harry W. Pulsifer, judge, Oakland Township, Oakland.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Kathleen Schottky of Merced, daughter of Senator Schottky.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sierra School, Sacramento. Teachers—Marietta Holst, and Catherine Scribner. Pupils of eighth grade as follows: Pauline Eggers, Betty Raymond, Dorothy Biggs, Eva Young, Hazel Claire Reynolds, Beryl Doan, Virginia Moore, Leona Ogle, Harriett Merwin, Lucille Britt, Kirby Ryan, Gordon Moody, Jack Androvich, Albert Hullin, Bob Joseph, Stewart Mitchell, Kenneth Siegel, Eric Younger, George Androvich, Robert Jurich, Janette Shelley, Gilda Barilotti, Ellen Simmons, Gladys Wahr, Lorraine Leonard, Ruby Heisler, Lola Jean McKellips, Cecelia Green, Florence Garhek, Eleanor Peterson, Madelyn Crutcher, Marguerite Vernatchi, Marie Statum, Antoinette Clargin, Dorothy Zanders, Elda Cotti, Arlene Fernandez, Dorothy Kennedy, Jacqueline Wilson, Garland Mehren, Jean Carnie, Frances McDowell, Dorothy Daniels, Juanita Spickard, Shirley Russell, Ada Mae Winn, Helen Hanley, Lora Jane Fissel, Louie Androvich, Vern Beilby, John Barons, Frank Diaz, James Habbie, George Frazer, Albert Westburg and Howard Haage.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ray Marwell.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, January 20, 1931.

MR. PRESIDENT: Your Committee on Rules to which was referred Assembly Concurrent Resolution No. 3—Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling, has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

ASSEMBLY CONCURRENT RESOLUTION No. 3.

Relative to the adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

WHEREAS, Section 2 of article IV of the constitution of the State of California requires that, after the Legislature has been in session for a period not exceeding 30 days, a recess must be taken by both houses for a period of not less than 30 days; therefore, be it

Resolved by the Assembly, the Senate concurring, That the forty-ninth session of the Legislature of the State of California shall adjourn for said recess at four o'clock in the afternoon on Friday, January 23, 1931, and shall reassemble at the hour of eleven o'clock in the forenoon on Tuesday, February 24, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 3 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Waggy—30.

NOES—None.

Assembly Concurrent Resolution No. 3 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senators Nelson, Breed, Deuel, McKinley, and Jones: Senate Bill No. 325—An act to amend sections 8 and 14 of chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to taxes upon banks and corporations.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senators Nelson, Breed, Deuel, McKinley, and Jones: Senate Bill No. 326—An act to amend section 5, 9, 24, 25, 26, 27, and 32 of chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to taxes upon banks and corporations.

Bill read first time, and referred to Committee on Revenue and Taxation.

RUSH ORDER TO PRINTER.

On motion of Senator Nelson, the Secretary was directed to issue a rush order for printing Senate Bill No. 326.

By Senator Maloney: Senate Bill No. 327—An act appropriating money to pay the claim of Bernard C. Lynch, George J. Lynch, Hugh J. Lynch and John A. Lynch against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Evans: Senate Bill No. 328—An act to amend section 5 of chapter 250, Statutes of 1923, entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof." Approved May 29, 1923, as amended, by providing for the sale and disposition by such districts of water, sewage effluent, fertilizer and other by-products resulting from the operation of sewage plants, and for the conservation of water.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Deuel: Senate Bill No. 329—An act to revise the title and to amend sections 2, 3, 4, 5, 6, and 9 of chapter 847, Statutes of 1927, known as the California Apiary Inspection Act, approved May 31, 1927, as amended.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator McKinley: Senate Bill No. 330—An act to amend section 457 of the Civil Code, relating to bonds of railroad corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 331—An act to amend section 13a of chapter 335, Statutes of 1919, entitled "An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places and for the lighting thereof by electric current, gas or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments," approved May 16, 1919, relating to the collection of such assessments by the county.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator McKinley: Senate Bill No. 332—An act to amend section 17 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,'" chapter 419, Statutes of 1905, relating to the collection of such assessments by the county.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator McKinley: Senate Bill No. 333—An act to create a restitution department and the office of restitution officer in each county of the State of California, or in the adult probation department of smaller counties, to provide without civil suit for the return to rightful owners of all money and property lost through fraud, embezzlement, theft or other unlawful means termed under the law varying degrees of theft, upon the conviction of persons guilty of said thefts; providing for the enforcement of said act, and penalties for the violation thereof, and providing for the payment of the expenses of and administration of said department.

Bill read first time, and referred to Committee on County Government.

By Senator McKinley: Senate Bill No. 334—An act to amend section 364c of the Political Code, relating to a compensation for members of the Industrial Welfare Commission.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator McKinley: Senate Bill No. 335—An act to amend section 3 and to repeal section 9, chapter 324, Statutes of 1913, entitled "An act regulating the employment of women and minors and establishing an Industrial Welfare Commission to investigate and deal with such employment, including a minimum wage; providing for an appropriation therefor and fixing a penalty for violations of this act," approved May 26, 1913, as amended and to repeal section 9 thereof, relating to the keeping of pay roll records and abolishing the provision as to gathering of statistics.

Bill read first time, and referred to Committee on Labor and Capital.

By Senators Fellom and Breed: Senate Bill No. 336—An act to amend section 1 of chapter 763, Statutes of 1929, entitled "An act authorizing California Toll-bridge Authority and the Department of Public Works of the State of California to lay out, acquire and construct a highway crossing from the city of San Francisco across the bay of San Francisco to the county of Alameda and providing for the payment of the cost thereof," approved June 10, 1929, relating to the cost of said bridge and its adoption as a State highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senators Fellom, Tubbs, Maloney, Breed, Inman, McCormack, Sharkey, Crittenden, Young and Jones: Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates and preliminary engineering for a bridge across the bay of San Francisco.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Fellom: Senate Bill No. 338—An act making an appropriation for the encouragement of county agricultural fair at San Francisco.

Bill read first time, and referred to Committee on Finance.

By Senator Fellom: Senate Bill No. 339—An act making an appropriation for the construction and completion of the San Francisco Agricultural Exposition Building.

Bill read first time, and referred to Committee on Finance.

By Senator Fellom: Senate Bill No. 340—An act appropriating money for premiums at fairs or exhibits held by the ----- district agricultural association during the fiscal year 1931 and 1932.

Bill read first time, and referred to Committee on Finance.

By Senator Ingels: Senate Bill No. 341—An act to revise chapter 52, Statutes of 1917, entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Rich: Senate Bill No. 342—An act to amend sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of adverse claims to real property, issuance and publication of summons, and the entry of judgment therein.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rich: Senate Bill No. 343—An act to add a new section to be known as section 751a of the Code of Civil Procedure, relating to a person who has received or taken title to real property in a certain name and thereafter disposes of it in a different name than the name in which it was received.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rich: Senate Bill No. 344—An act to amend section 1723 of the Code of Civil Procedure, relating to the establishment of a fact of death of a person, and relating to the filing in the superior court of a petition for that purpose.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rich: Senate Bill No. 345—An act to amend section 2 of chapter 591, Statutes of 1915, entitled "An act to create a reclamation district to be called 'Reclamation District No. 1660,' and providing for the control and management thereof."

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Fellom: Senate Bill No. 346—An act directing the Regents of the University of California to gather data for studying and writing the history of the people of California, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator McKinley: Senate Bill No. 347—An act to amend sections 4, 9, and 15 to chapter 517, Statutes of 1917, entitled "An act to provide for the protection of fur-bearing mammals, defining fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing

mammals and requiring reports to be filed with the Fish and Game Commission," approved May 18, 1917, as amended.

Bill read first time, and referred to Committee on Fish and Game.

By Senator McKinley: Senate Bill No. 348—An act to provide for the identification, types and use of traps, devices or snares for the capture of mammals.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Slater: Senate Bill No. 349—An act to amend section 4.52 of the School Code and to repeal section 1 of chapter 433, Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929, both relating to the State Junior College Fund.

Bill read first time, and referred to Committee on Education.

By Senators Slater, Fellom, Maloney, Tubbs, Nelson, Sharkey, McCormack and Ingels: Senate Bill No. 350—An act relating to the formation, organization and proceedings of bridge and highway districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Slater: Senate Bill No. 351—An act making an appropriation to pay the claim of Robert W. Blanton against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Tubbs: Senate Bill No. 352—An act providing for the registration of music teachers and defining the term "music teacher"; providing the method of obtaining licenses to engage in the business of music teaching, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act.

Bill read first time, and referred to Committee on Education.

By Senator Breed: Senate Bill No. 353—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings.

Bill read first time, and referred to Committee on County Government.

By Senator Breed: Senate Bill No. 354—An act to amend section 2640 of the Political Code, relating to opening and improving roads.

Bill read first time, and referred to Committee on County Government.

By Senator Carter: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California that the constitution of said State be amended by adding to article VI a new section to be numbered 26, relating to the terms of judicial officers.

Referred to Committee on Constitutional Amendments.

By Senator Sharkey: Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTY-FIVE.

Senator Sharkey asked for, and was granted, unanimous consent for the consideration of Senate Bill No. 355, without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Sharkey:

Resolved, That Senate Bill No. 355 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Sponsors Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 355.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED FIFTY-FIVE.

By Senator Sharkey: Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

Sec. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency: Many school districts within the State of California are without sufficient money with which to purchase school lots, for building or purchasing one or more school buildings or making alterations or additions to same or restoring or rebuilding school buildings damaged, injured or destroyed by fire or other public calamity, for insuring school buildings, for supplying school buildings with furniture or necessary apparatus, for improving school grounds, for liquidating any indebtedness already incurred for said purposes or refunding any valid outstanding indebtedness of such district evidenced by bonds or warrants thereof. Many school districts have within the last two years voted bonds for raising money for such purposes and the proceedings in many of such bond elections were irregular but complying with all the provisions of this act, and by reason of such minor irregularities and defects in such proceedings, not jurisdictional, such bonds can not now be sold. The population of many of these

districts has increased so rapidly that the present school facilities of such districts are unable to meet the needs of the great increase of pupils in such districts and it is necessary and urgent that such bonds and the proceedings thereunder be validated at an early date in order that said school buildings, lots, equipment and facilities may be purchased or built before the opening of the next school year which in many instances would be impossible if this act did not go into effect immediately but was required to wait until 90 days after adjournment of this Legislature.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

FURTHER CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTY-FIVE POSTPONED.

At request of Senator Nelson, further consideration of Senate Bill No. 355 was ordered postponed.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Ingels: Senate Bill No. 356—An act to repeal sections 2653 and 2654 of the Political Code, relating to a property tax for road purposes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Hays: Senate Bill No. 357—An act for the enlargement of the functions of the State Teachers College of Fresno to include vocational and technical training and changing the name thereof to the "California State College of Fresno."

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Young: Senate Bill No. 358—An act to amend section 2 of chapter 260, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances and providing penalties for the violation thereof," relating to the prescription of narcotics.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Young: Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Allen: Senate Bill No. 360—An act establishing a certain addition to the State highway and classifying same as a secondary highway.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Mixer: Senate Bill No. 361--An act to repeal chapter 629, Statutes of 1929, entitled "An act authorizing and empowering the boards of supervisors of the several counties to transfer lands to the United States of America and providing for a method to obtain said lands."

Bill read first time, and referred to Committee on County Government.

By Senator Sharkey: Senate Bill No. 362--An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Sharkey: Senate Bill No. 363--An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, streets, roads and highways and other wells.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Sharkey: Senate Bill No. 364--An act to amend section 8d, chapter 718, Statutes of 1915, entitled "An act establishing and creating a department of the State Mining Bureau for the protection of the natural resources of petroleum and gas from waste and destruction through improper operations in production; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as added by chapter 535, Statutes of 1929, relating to procedure upon complaint of undue waste.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Allen: Senate Bill No. 365--An act making an appropriation to pay the claim of Andrew Stewart against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Allen: Senate Bill No. 366--An act making an appropriation to pay the claim of Luis F. Wolter against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Crittenden: Senate Bill No. 367--An act to amend section 37a of chapter 25, Statutes of 1911, entitled the "Reclamation Board Act," approved December 24, 1911, as amended, relating to the application of moneys released, reimbursed, or appropriated under and pursuant to chapter 176, California Statutes of 1925 and the War Department

Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, seventieth congress, approved February 28, 1929.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Crittenden: Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Crittenden: Senate Bill No. 369—An act to amend section 3596 of the Political Code, relating to the membership of the Governor's Council.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crittenden: Senate Bill No. 370—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article IIⁿ, embracing sections 378 to 378^m, inclusive, and to repeal article XI^o, of chapter 3 of title I of part III of the Political Code, relating to a Department of Commerce.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crittenden: Senate Bill No. 371—An act to amend sections 2 and 13 of chapter 774, Statutes of 1927, entitled "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, relating to the maintenance and operation of certain flood control project works and to the payment of assessments.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Crittenden: Senate Bill No. 372—An act to add a new section to the Political Code, to be numbered 4041.24^a, relating to the withdrawal of county records.

Bill read first time, and referred to Committee on County Government.

By Senator Crittenden: Senate Bill No. 373—An act to amend chapter 485, Statutes of 1927, entitled "An act to define collection agencies; to provide for the regulation, bonding, supervision and licensing thereof; to provide for the enforcement of said act and penalties for violation thereof," approved May 14, 1927, as amended, by amending sections 2, 4, 6, 7, 11 and 14 thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 374—An act to amend section 4041^c of the Political Code, relating to the acquisition and operation of rock quarries, rock plants, sand pits, cement plants, and other works by the counties, cities, and irrigation districts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 375—An act permitting boards of supervisors of the respective counties and the city council of every

incorporated city, and the board of education of every school district, and the board of directors of every duly organized irrigation, reclamation, water conservatory or flood control district, to require answers to a standard form of questionnaire from persons proposing to bid on any public work.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 376—An act defining building loans and providing for recording a statement of the condition of title and the arrangements for financing of the proposed construction or improvements on real property, providing for the clearing of said record, and providing for the punishment of the violation of the terms thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Concurrent Resolution No. 19—Relative to hearings by committees on building and loan associations.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER NINETEEN.

Senator Jones asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 19, without reference to committee, for purpose of adoption.

SENATE CONCURRENT RESOLUTION No. 19.

Relative to hearings by committees on building and loan associations.

WHEREAS, The bills referred to the Senate and Assembly Committees on Building and Loan Associations, and proposed legislation pertaining to such associations, indicate that extended hearings will be required to adequately consider such bills and legislation; and

WHEREAS, The legislative recess will afford adequate time for the thorough consideration of such bills and legislation; therefore, be it

Resolved, That said committees be and they are hereby given leave to sit during the legislative recess either at the city of Sacramento, or, if deemed advisable by said committees, at any other place within the State of California; and be it further

Resolved, That the sums of \$500 out of the contingent fund of the Senate and \$500 out of the contingent fund of the Assembly, be and the same are hereby made available for the purpose of defraying the expenses of said committees, including the necessary traveling expenses of the members of said committees, and the contingent expenses of said committees, and the State Controller is hereby authorized and directed to draw his warrants in favor of the respective chairmen of said committees for such expenditures as may be certified to him from time to time by the respective chairmen of said committees, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 19 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—32.

NOES—Senator Duvel—1.

Senate Concurrent Resolution No. 19 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Sharkey: Senate Bill No. 377—An act to amend the School Code of the State of California by adding section 4.982 thereto, relating to school bonds.

Bill read first time, and referred to Committee on Education.

By Senator Sharkey: Senate Bill No. 378—An act to amend section 3664a of the Political Code, relating to taxation of public service and other corporations for the benefit of the State.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Sharkey: Senate Bill No. 379—An act to amend the School Code of the State of California by amending sections 2.877, 4.1010, 4.1100, 4.1220 and 4.1310, relating to school bond elections.

Bill read first time, and referred to Committee on Education.

By Senator Sharkey: Senate Bill No. 380—An act to add a new section to be numbered 4½ to chapter 397, Statutes of 1911, entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," relating to the laying of water pipes and mains in public streets in cases where the water is supplied by a public agency other than the city ordering the improvement.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Sharkey: Senate Bill No. 381—An act providing that any person, firm, association, or corporation, agent, superintendent or manager thereof, employing special agents, detectives or so-called spotters, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof, and repealing chapter 65, Statutes of 1915, entitled "An act providing that any public service corporation, agent, superintendent, or manager thereof employing special agents, detectives, or so-called spotters shall, before disciplining or discharging any employee upon a report by such special agent, detective or so-called spotters, give notice and accord a hearing to such employee upon his request therefor, and providing for the punishment for the violation thereof," approved April 14, 1915, as amended.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Cassidy: Senate Bill No. 382—An act to amend section 31 of chapter 189, Statutes of 1897, the California Irrigation District Act, by amending section 31 thereof, relating to the issuance of bonds.

Bill read first time, and referred to Committee on Irrigation.

By Senator Harper: Senate Bill No. 383—An act for the enlargement of the functions of the State Teachers College of San Diego to include vocational and technical training and changing the name thereof to the "California State College of San Diego."

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Baker: Senate Bill No. 384—An act to repeal articles I, II, III, IV, V and IX, embracing respectively, sections 2.670 to 2.674, both inclusive, of the School Code; sections 2.680 to 2.684, both inclusive, sections 2.690 to 2.693, both inclusive, sections 2.700 to 2.710, both inclusive, sections 2.720 to 2.728, both inclusive, section 2.760, all of chapter 11 of part I of division II of the School Code; to repeal article II, embracing sections 2.1130 and 2.1131, both inclusive, of chapter 5 of part II of division II of the School Code; to repeal sections 2, 3 and 4 of chapter 433 of the Statutes of 1929, entitled "An act relating to the formation, suspension and support of junior college districts and the powers of governing boards thereof," approved May 23, 1929; to repeal article II, embracing sections 3.370 to 3.374, both inclusive, of chapter 6 of part III of division III of the School Code; to repeal article VIII, embracing sections 2.750 to 2.753, both inclusive, of chapter 11 of part I of division II of the School Code; to add new articles to chapter 11 of part I of division II of the School Code to be known as articles I, II and IX, embracing respectively sections 2.670 to 2.677, both inclusive; sections 2.680 to 2.689, both inclusive; section 2.760; to add a new article to chapter 5 of part II of division II of the School Code to be known as article II, embracing sections 2.1130 and 2.1131; to add new sections to the School Code to be numbered 4.943 and 4.944; and to amend sections 2.740, 2.741, 2.742, 2.1121, 2.1140, 2.1150, 2.1160, 2.1170, 4.941 and 4.942, all relating to the formation, suspension, reestablishment, lapsation, government and support of junior college districts.

Bill read first time, and referred to Committee on Education.

By Senator Rich: Senate Bill No. 385—An act to amend sections 1 and 2 of chapter 189, Statutes of 1897, entitled the "California Irrigation District Act," relating to petitions.

Bill read first time, and referred to Committee on Irrigation.

By Senator Crittenden: Senate Bill No. 386—An act to provide that the State highways or State highway system, as established by the laws of the State shall include a portion of those city streets or avenues in municipalities which, by their natural course, form a continuation or connecting link of said highways or system; requiring that such portion be paved, repaired or otherwise improved by the State out of the Motor Vehicle Fuel Fund, or such other funds that may be available; and providing the terms and conditions under which municipalities and the State may cooperate in the work.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Crittenden: Senate Bill No. 387—An act to amend sections 1357, 1359, 1361 and 1362 of the Political Code, relating to absent voters.

Bill read first time, and referred to Committee on Elections.

By Senator Jones: Senate Bill No. 388—An act to amend sections 1096 and 1115 of the Political Code, relating to the registration of electors.

Bill read first time, and referred to Committee on Elections.

By Senator Jones: Senate Bill No. 389—An act to amend section 2.878 of the School Code, relating to electors at school district elections. Bill read first time, and referred to Committee on Elections.

By Senator Jones: Senate Bill No. 390—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties and providing for adult probation boards in said counties and cities and counties.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 391—An act to prohibit the expenditure of money or the giving or offering of money, reward or thing of value by any public utility corporation for political purposes.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Swing: Senate Bill No. 392—An act appropriating money to pay the claim of J. A. Beek against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Harper: Senate Bill No. 393—An act making an appropriation to pay the claim of W. H. Carlson against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Maloney: Senate Bill No. 394—An act to amend section 525 of the Code of Civil Procedure, relating to injunctions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 395—An act to amend sections 3.354 and 3.411 of the School Code, relating to minimum requirements for graduation from junior college courses of study.

Bill read first time, and referred to Committee on Education.

RESOLUTION.

The following resolution was offered:

By Senators Williams and Cassidy:

WHEREAS, The mining industry is one of the basic industries of the State of California; and

WHEREAS, It is essential to the prosperity of the people of this State that the mining industry be placed and remain on a sound economic basis; and

WHEREAS, It is essential to the sound economic functioning of this industry that the insurance companies necessary to its successful functioning shall be sound and the charges therefor reasonable; and

WHEREAS, Compensation insurance premium rates for employers engaged in the industry of mining in the State of California are higher than in any other mining state, and are prohibitive; and

WHEREAS, Numerous complaints have been made relating to the present system of rates, charges, classifications, coverage and policy forms of insurance covering the mining industry; and

WHEREAS, It is desirable that the Senate be more fully informed as to the true situation of the relation between workmen's compensation insurance and the mining industry; now, therefore, be it

Resolved by the Senate, That a special committee of five members of the Senate be appointed by the President thereof to investigate generally into the present system of rates, charges, classifications, coverage and policy forms of insurance covering the mining industry of this State, to take such action in relation to such investigation as it may deem necessary, and to report the proceedings, facts found and conclusions formed in such investigation, together with such recommendations as the committee deems proper, to the Senate, as soon after the constitutional recess of the Senate as possible; and be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary, and shall proceed with said investigation in such manner as may be determined by said committee; and be it further

Resolved, That each department, board, commission or officer of the State of California, whenever requested to do so by said committee, shall furnish the said committee such assistance as it may require; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and subjects hereinbefore enumerated or recited, and of the matters and subjects which it may deem necessary to investigate with relation to the matters and subjects herein enumerated or recited and to that end to employ all necessary assistants; and be it further

Resolved, That said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, minutes of meetings, documents, records, and papers of every kind whatsoever which it may deem necessary to so investigate, to issue subpoenas to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of article VIII of chapter 2, title I, part III of the Political Code of the State relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The said committee is hereby given leave to sit during the recess thereof and during the interval between sessions thereof; at any place in the State as said committee shall from time to time determine; and be it further

Resolved, That the sum of one thousand dollars (\$1,000), or so much thereof as may be necessary, be and the same is hereby appropriated for the purpose of defraying the expenses of said committee and said investigation, said sum to be paid from the contingent fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Slater, Swing, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Breed: Senate Bill No. 396—An act to repeal chapter 17, Statutes of 1929, entitled "An act making an appropriation to meet the deficiency in the appropriation for contingent expenses of the Senate for the seventy-ninth and eightieth fiscal years."

Bill read first time, and referred to Committee on Finance.

By Senator McCormack: Senate Bill No. 397—An act making an appropriation to pay the claim of Lorenzo Lucchetti against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator McCormack: Senate Bill No. 398—An act to amend section 3627a of the Political Code, relating to taxation of intangible personal property and providing a method of distributing the proceeds therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Jones: Senate Bill No. 399—An act to amend section 25 of the Civil Code, relating to who are minors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 400—An act to provide for the removal or destruction of abandoned or neglected orchard trees, vines, shrubs, or parts thereof, or agricultural crops which are infested or infected with injurious pests.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 21, 1931.

MR. PRESIDENTS: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 7—Relative to urging the Navy Department of the United States to cease its survey for and action in reducing the Navy of the United States during the present depression in business and commerce and requesting a reinstatement of sailors and enlisted men who have been surveyed out.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Joint Resolution No. 7 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 2—Relative to urging the Congress of the United States to make adequate provision for the enforcement of the immigration laws.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Joint Resolution No. 2 referred to Committee on Federal Relations.

RECESS.

On motion of Senator Breed, at twelve o'clock and five minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

RE-REFERENCE OF SENATE BILL NUMBER THREE HUNDRED SIXTY-FOUR.

Senator Sharkey moved that Senate Bill No. 364 be withdrawn from Committee on Governmental Efficiency, and re-referred to Committee on Oil Industries.

Motion carried, and such was the order.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

By Senator Maloney: Senate Bill No. 401—An act to make lawful certain agreements between employees or laborers, to define the cases in which injunctions may and may not issue, to prescribe the procedure in trials for contempt, to secure the right of jury trial in all such cases, to prescribe the time in which proceedings for contempt shall be instituted,

to prescribe the penalty for the violation of such injunctions and excepting certain organizations.

Bill read first time, and referred to Committee on Judiciary.

By Senators Slater and Harper: Senate Bill No. 402—An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senators Slater and Harper: Senate Bill No. 403—An act to provide for the inspection and certification of liquid eggs, frozen eggs and dried eggs and any other egg products imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with respect thereto, and to provide penalties for violations of the provisions of this act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Evans: Senate Bill No. 404—An act to amend section 3664aa of the Political Code, relating to taxation of highway transportation companies.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Fellom: Senate Bill No. 405—An act to amend section 4, chapter 16, Statutes of 1923, entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," and relating to security given upon deposit in banks of money belonging to or in the custody of the State.

Bill read first time, and referred to Committee on Banking.

By Senator Fellom: Senate Bill No. 406—An act to amend sections 4 and 5 of chapter 740, Statutes of 1927, entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," relating to security to be given by banks upon deposit of public funds.

Bill read first time, and referred to Committee on Banking.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 204—An act to provide for

bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Senate Bill No. 204 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 7—Relative to memorializing Congress to adopt legislation consenting to the construction, maintenance and operation of a toll bridge across San Francisco Bay and granting a right of way therefor across Yerba Buena Island.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Senate Joint Resolution No. 7 ordered to enrollment.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Deuel: Senate Bill No. 407—An act to add a new section to be numbered section 693 to the Political Code, relating to the preparation and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, and to repeal "An act relating to the advertising and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the State Board of Control and vesting in the State Board of Control the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore given to any State officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," approved December 18, 1911.

Bill read first time, and referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 408—An act to amend section 347½ of the Penal Code, relating to the sale and use of drugs.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Williams: Senate Bill No. 409—An act to amend sections 1, 9 and 13 of chapter 426, Statutes of 1915, entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to license fees and the issuance, suspension and revocation of licenses.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Williams: Senate Bill No. 410—An act to amend section 364a of the Political Code, relating to the creation of a Division of Immigration and Housing in the Department of Industrial Relations.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Slater: Senate Bill No. 411—An act making an appropriation to pay the claim of Barr Bros. against the State of California. Bill read first time, and referred to Committee on Finance.

By Senator Slater: Senate Bill No. 412—An act making an appropriation to pay the claim of Chester W. Scott against the State of California.

Bill read first time, and referred to Committee on Finance.

ADJOURNMENT.

At two o'clock and twenty-seven minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until ten o'clock a.m., Thursday, January 22, 1931.

HAROLD J. POWERS. Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, January 22, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, January 21, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Rochester was, on motion of Senator Carter, granted leave of absence for this day.

Senator Cleveland was, on motion of Senator Christian, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Neal C. Keltner, manager of Western School of Business; Lillian Arthurs, teacher, and students as follows: Margaret Lewis, Jessie L. Watson, Ruth Carder, Helen Bullock, Mildred Pleasants, Isolina Mette, Florence Quinn, Ruth Goss, Edna McNeil, Marie Murray, Mildred Romack, Marie Poncioni, Freda Schulz, Leona Potter and Maude Seymour.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Hulda M. Guin, secretary of Public Relations Association.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elmer E. Robinson.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. R. Veale, wife of Sheriff Veale of Contra Costa County; Mrs. Harry Hammond of Sacramento, Mr. Hugo Norbeck of San Francisco, and John Miller of Richmond.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Christian Brothers School, Brother Josephus, and students as follows: Edward Aubrey, Louis Belke, George Chappell, Steve Williams, Joe Kennedy, Wm. Kennedy, Dennis Cromartz, Mark Separovich, Joe Marty, Irvin Da Rosa, Donald Da Roza, Jack Duval, Edw. T. Ryan, Arthur St. Louis, Bernard Steffen, Clark Hall, Thomas Perrault, John Quinn, Whitaker Gerber, Robert Swanston, Adolph Marting, Jerry Marinovich, Gordon McGrath, Jack Casey, Daniel Carroll, Thomas Dwyer, George Goodsell, Arthur Valine, Edward Hughes, Conrad Mezger, Albert Matteoli, Mario Cavanna, Wm. O'Leary and Walter E. Trainor.

On request of Senator Duval, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Ruth Meilandt, city clerk, Ventura, and Robert M. Sheridan of Ventura.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. K. Landram, attorney, of Merced, California.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. F. W. Oatman, Berkeley, and Miss Margaret Oatman, Berkeley.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Myrtle Wardell, Omaha, Nebraska, and Miss Lydea Anwarter of Sacramento.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, January 21, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 7—Relative to urging the Navy Department of the United States to cease its survey for and action in reducing the Navy of the United States during present depression in business and commerce and requesting a reinstatement of sailors and enlisted men who have been surveyed out—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; Committee vote: Ayes—5.

(Signed out)

SCHOTTKY, Chairman.
RILEY.
McCORMACK.
HARPER.
WAGY.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER SEVEN.

Senator Harper asked for, and was granted, unanimous consent for the consideration of Assembly Joint Resolution No. 7, for purpose of adoption.

ASSEMBLY JOINT RESOLUTION No. 7.

Relative to urging the Navy Department of the United States to cease its survey for and action in reducing the Navy of the United States during the present depression in business and commerce and requesting a reinstatement of sailors and enlisted men who have been surveyed out.

WHEREAS, It appears that for some months a survey has been in progress by the Navy Department of the United States for the purpose of reducing the Navy; and

WHEREAS, It appears that great numbers of sailors and enlisted men are being daily discharged from the Navy, many of whom have families and have been in the Navy for years, and are thus thrown out in the world to make a living, and most of whom are unable to secure employment and are increasing the ranks of the unemployed; and

WHEREAS, There has existed for some time a wide depression in industry resulting in many thousands of deserving persons losing without any source of income through no immediate fault of their own; now, therefore, be it

Resolved by the Assembly and the Senate, jointly, That the Legislature of the State of California does hereby request the Navy Department of the United States to withhold such survey action and that until such depression is over it survey out only those men which it may find absolutely necessary and that it reinstate those sailors and enlisted men who have been surveyed out unless they have been dishonorably discharged.

Resolved, further, That the Chief Clerk of the Assembly is hereby directed to transmit by air mail forthwith upon its adoption copies of this resolution to the Secretary of the Navy and to the United States Senators and Members of Congress of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Assembly Joint Resolution No. 7 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 7 ordered transmitted to the Assembly.

CONSIDERATION OF SENATE BILL NUMBER THREE HUNDRED FIFTY-FIVE.

Pursuant to his notice given on the previous legislative day, to consider Senate Bill No. 355, on this day, for final passage, Senator Sharkey requested that Senate Bill No. 355 be referred to committee.

REFERENCE OF SENATE BILL NUMBER THREE HUNDRED FIFTY-FIVE.

Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure.

Bill read first time, and referred to Committee on Judiciary.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Edwards: Senate Bill No. 413—An act to amend sections 4458, 4460, 4462 and 4463 of the Political Code, relating to newspapers.

Bill read first time, and referred to Committee on Judiciary.

By Senator Edwards: Senate Bill No. 414—An act to amend section 5 of chapter 191, Statutes of 1923, entitled "An act to provide for the formation, management and dissolution, of county fire protection districts, and annexation thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," relating to the powers of county protection fire districts and the compensation of fire commissioners.

Bill read first time, and referred to Committee on County Government.

By Senator Edwards: Senate Bill No. 415—An act appropriating money to pay the claim of Southern Pacific Company, a corporation, based on five judgments recovered by it under the provisions of section 3669a of the Political Code.

Bill read first time, and referred to Committee on Finance.

By Senator Edwards: Senate Bill No. 416—An act to provide for the standardization of cement-concrete pipe sold for irrigation purposes.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Evans: Senate Bill No. 417—An act to add a new section, to be numbered section 4 $\frac{1}{2}$, to chapter 378 of the Statutes of 1915, entitled "An act to provide a central bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendent of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of birth and death; the appointment of state and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons, and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict therewith," approved May 19, 1915, as amended, relating to the duties of the county health officer in counties having a freeholder's charter.

Bill read first time, and referred to Committee on County Government.

By Senator Cassidy: Senate Bill No. 418—An act to amend sections 777 and 874 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to the cities of the fifth and sixth classes.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Harper: Senate Bill No. 419—An act to add a new section to be numbered 10 to chapter 326, Statutes of 1925, entitled "An act to authorize and empower the State Director of Education, with the approval of the State Board of Control, to sell and convey the lands and buildings of the San Diego State Teachers College, and from the proceeds of such sale to purchase and improve a new and suitable site for said school, to erect and construct upon the site so purchased buildings and other structures and improvements necessary and proper for said school, to purchase furniture, fixtures, apparatus, and other things necessary for said school, and to rent such temporary buildings and grounds as may be necessary for the use of said school until the completion of the new school buildings," providing for a readjustment of the western boundary of the site of the San Diego State Teachers College.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Harper: Senate Bill No. 420—An act to add a new section to the School Code, to be numbered 2.1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents.

Bill read first time, and referred to Committee on Education.

By Senator Harper: Senate Bill No. 421—An act to amend section 363 $\frac{1}{2}$ of the Political Code, relating to the supervision of ports by the Department of Public Works, and to repeal sections 2584, 2586, 2589, 2590 and 2607 of the Political Code, relating to the Board of State Harbor Commissioners for the bay of San Diego, and to the San Diego Harbor Improvement Fund.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Harper: Senate Bill No. 422—An act to repeal sections 683 and 684 of the Political Code, relating to the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Harper: Senate Bill No. 423—An act to amend section 5.21 of the School Code, relating to the management and control of funds of State teachers colleges.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Harper: Senate Bill No. 424—An act to amend section 5.80 of the School Code, relating to courses of study in State teachers colleges.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Pedrotti: Senate Bill No. 425—An act to add a new section to be numbered 7 $\frac{1}{2}$ to chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," as amended, approved May 23, 1925, by adding thereto a new section to be designated as section 7 $\frac{1}{2}$, relating to pensions for marshals and deputy marshals of cities of the first and one-half class.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Rich: Senate Bill No. 426—An act to appropriate the sum of \$28,500 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Feather and Yuba rivers, and to provide for the manner of expending such appropriation.

Bill read first time, and referred to Committee on Mines and Mining.

By Senator Moran (by request) : Senate Bill No. 427—An act making an appropriation for the support of the forty-second district agricultural association.

Bill read first time, and referred to Committee on Finance.

By Senator Slater: Senate Bill No. 428—An act to amend section 2207*i* of the Political Code, relating to the Industrial Home for the Adult Blind.

Bill read first time, and referred to Committee on Finance.

By Senator Hays: Senate Bill No. 429—An act to amend section 2079 of the Political Code, relating to allowances to organizations of the National Guard.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Slater: Senate Bill No. 430—An act adding a new section to be numbered 7*b* to chapter 648, Statutes of 1909, entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," as amended, relating to the use and disposition of moneys and funds of district agricultural associations.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Bush: Senate Bill No. 431—An act authorizing and directing the Department of Public Works to acquire necessary rights of way and to construct and maintain a right of way, which is hereby declared to constitute and be a State highway, extending from Modesto, in Stanislaus county, to San Jose, in Santa Clara county.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Bush: Senate Bill No. 432—An act making an appropriation for the purchase of additional land for the Norwalk State Hospital.

Bill read first time, and referred to Committee on Hospitals and Asylums.

By Senator Baker: Senate Bill No. 433—An act making an appropriation to pay the claim of Andrew Stewart against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Baker: Senate Bill No. 434—An act making an appropriation to pay the claim of Luis F. Wolter against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 435—An act to add a new section to the Political Code, to be numbered section 393*a*, providing where certain actions may be commenced and tried, and for the change of place of trial of such actions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Inman: Senate Bill No. 436—An act to regulate the operation of gas-electric locomotives and cars of common carriers by rail.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Deuel: Senate Bill No. 437—An act to amend sections 4.383 and 4.384 of the School Code.

Bill read first time, and referred to Committee on Education.

By Senator Deuel: Senate Bill No. 438—An act to add four new sections to the Political Code, to be numbered 690*a*, 690*b*, 690*c*, and 690*d*, relating to the Division of Land Settlement and the State Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Deuel: Senate Bill No. 439—An act to repeal article I, embracing sections 4.530 to 4.533, both inclusive, article II, embracing sections 4.540 to 4.548, both inclusive, article III, embracing sections 4.560 to 4.566, both inclusive, all of chapter 6, of part III of division IV of the School Code, and section 4.570 thereof, all relating to the financial support of high school districts.

Bill read first time, and referred to Committee on Education.

By Senator Deuel: Senate Bill No. 440—An act to repeal article III, embracing sections 3.380 and 3.381, of chapter VI of part III of division III of the School Code, relating to agreements of affiliation by junior colleges and junior college departments of high school districts and teachers colleges with the University of California.

Bill read first time, and referred to Committee on Education.

By Senator Deuel: Senate Bill No. 441—An act to repeal chapter II, embracing sections 4.410 to 4.434, both inclusive, of part III of division IV of the School Code, relating to taxes for school districts.

Bill read first time, and referred to Committee on Education.

By Senator Deuel: Senate Bill No. 442—An act to amend section 3.470 of the School Code and to repeal sections 3.471, 3.472 and 3.473 thereof, relating to cooperative part-time vocational courses in high schools.

Bill read first time, and referred to Committee on Education.

By Senator Ingels: Senate Bill No. 443—An act to amend section 1 of and to add a new section, to be numbered 4, to chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' " relating to the date at which the amendments shall go into effect and imposing certain conditions thereto.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Duval: Senate Bill No. 444—An act to amend sections 2 and 10 of chapter 16, Statutes of 1923, entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Duval: Senate Bill No. 445—An act to amend sections 2 and 3 of chapter 301, Statutes of 1913, entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, relating to surplus money in the State treasury.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senators Jones and Duval: Senate Bill No. 446—An act to prevent fraud and deception and to protect the general welfare by establishing standards and standard containers for certain fruits, nuts and vegetables; and to that end regulating the sale, offer for sale, shipment, transportation, loading, packing, marking and disposal of fruits, nuts and vegetables; and repealing "The California Fruit, Nut and Vegetable Standardization Act of 1927," chapter 865, Statutes of 1927, as amended.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER ONE.

Senator Tubbs asked for, and was granted, unanimous consent for the consideration of Assembly Joint Resolution No. 1, for purpose of adoption.

ASSEMBLY JOINT RESOLUTION No. 1.

Relating to memorializing Congress to amend the World War Veterans Act by providing for the cash payment of the surrender value of adjusted service certificates.

WHEREAS, Congress has appropriated a fund of money to be used for the benefit of World War Veterans and their beneficiaries and has ordered that these benefits shall be paid to the beneficiaries of a World War Veteran upon his death, or to a World War Veteran twenty years from the time when there is issued to him an adjusted service certificate; and

WHEREAS, It appears that the benefits are intended for citizens who have done a two-fold service to their countrymen, saving the American nation from possible disaster and catastrophe, and enriching the soul and spirit of the American people by a loyalty and patriotism molded in the heat of battle and formed by unselfish work; and

WHEREAS, The gratitude of the American nation and of the American people could be shown to the veteran by speedy payment of the promised benefits; and

WHEREAS, A distribution of wealth to a large class of the people and over a vast area of territory would be an aid to the financial betterment of the nation; now, therefore, be it

Resolved by the Assembly, and the Senate, jointly, That we, the members of the Legislature of the State of California respectfully urge an amendment by Congress to the World War Veterans Act providing for the immediate cash payment of the surrender value of adjusted service certificates at the option of the veteran.

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit by telegraph, forthwith upon its adoption, copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives.

and to the Senators and Representatives from California, in the Congress of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 1 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Williams—23.

NOES—Senators Hays, Moran, Nelson, Waggy, and Young—5.

Title read and approved.

Assembly Joint Resolution No. 1 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 5—Relative to the passage of Senate Bill No. 4123, known as the Glenn Bill;

Also: Senate Bill No. 106—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of the same, the act to take effect immediately;

Also: Senate Bill No. 109—An act making an appropriation to meet a deficiency in the appropriation for minor construction, improvements, and equipment of new college, San Diego State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Senate Bill No. 133—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment at Chico State Teachers College for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Senate Bill No. 134—An act making an appropriation to meet a deficiency in the appropriation for major construction and equipment of new college, San Diego State Teachers College, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Also: Senate Bill No. 143—An act to validate all proceedings for the formation of improvement districts within irrigation districts and all assessments heretofore made in any such improvement district, to validate all warrants heretofore issued or to be issued, payable from the assessments levied in such improvement districts, and authorizing and directing the collection of the assessments in such improvement districts sufficient to pay the principal and interest of said warrants, validating and confirming all acts and proceedings of the board of directors of any irrigation district in connection with the acquisition and creation of improvement districts within irrigation districts, and the acquisition, construction, operation, maintenance and repair of improvements therein, and declaring this act to be an urgency measure: And reports that the same have been correctly enrolled and presented to the Governor on the twenty-second day of January, 1931, at ten o'clock a.m.

RILEY, Chairman.

REPORT OF JOINT COMMITTEE ON JOINT HIGHWAY LAWS.

The following report was received, and on motion of Senator Fellom, ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, October 1, 1930.

Hon. C. C. Young, Governor,
State of California,
Sacramento, California.

DEAR SIR: Your joint committee of the Senate and Assembly appointed pursuant to Assembly Concurrent Resolution No. 41 of the forty-eighth session of the Legislature of the State of California (Statutes 1929, chapter 73) for the purpose of studying joint highway laws of the State of California and making recommendations concerning any changes therein, and to make such recommendations for the financing of joint highway districts, and directed to report back and transmit its report to yourself not later than the first day of October, 1930, reports as follows:

This committee has conducted public hearings over a period of several months in various cities of the State of California, and after entertaining the views of those persons interested in the problems under consideration of this committee, and to the engineers and attorneys at law who have made an intense study of the Joint Highway District Act, and its administration, has arrived at the following conclusion, and desires to make the following recommendations:

LEGISLATIVE RECOMMENDATIONS.

It is recommended that the statutory provision for the creation, organization, and government of joint highway districts (Statutes 1917, chapter 52, as amended) be amended so that the following results are obtained:

1. That the title to the above act be amended to comply with section 24 of article IV of the constitution of the State of California. That is, that the title be made sufficiently broad to cover the provisions of the act.

2. That in the organization of a joint highway district the organization of a district be accomplished immediately, rather than being a preliminary organization as now provided with a permanent organization to follow.

3. That counties be enabled to contribute to the cost of the improvement undertaken by the joint highway district in a less restricted manner.

4. That the provisions of the act relating to the levying of an assessment upon real property within the district be redrafted to provide for the necessary machinery therefor, and so drafted as to become an optional method of financing the cost of the improvement contemplated by a joint highway district.

5. That the provisions for the issue of revenue bonds in the existing act be amended to provide for the issuance of a bond that will be a general obligation of the district or be a lien upon an unpaid assessment list in each county. That this provision of the act be amended to set up adequate machinery to enable the district or the counties constituting the district to properly incur a bonded indebtedness.

6. That the powers of the board of directors of a joint highway district be enlarged to include a provision that the board of directors may pass a resolution that will be conclusive evidence in any condemnation suit brought by said board of:

- a. The public necessity for the proposed improvement.

- b. That the property is necessary, therefore, and

- c. That such proposed public improvement is planned or located in a manner that will be most compatible with the greatest public good and the least private injury.

That the board of directors may meet any place within the State of California; that the board of directors may establish a contingent fund out of which any preliminary expenses may be paid.

FINANCIAL RECOMMENDATIONS.

Your committee in its study to ascertain a method of financing joint highway districts, and after obtaining the views of various State and county officials in the matter, recommends that a direct appropriation be made from the general fund of the State of California for the purpose of enabling the State of California to participate in the cost of improvements to be made by joint highway districts. It is recommended that any such appropriation be sufficient to permit the State of California to assume a fair participation in joint highway district ventures and that said appropriation be a recurrent appropriation, or that a definite policy be adopted of making a biennial appropriation so that the construction and maintenance of public highways, under the methods provided for by the Joint Highway District Act, may progress in an orderly and systematic manner.

Your committee has caused to be compiled statutes of the several states of the United States similar in intent to the Joint Highway District Act which your committee files herewith for your information.

Your committee desires at this time to acknowledge the splendid cooperation in its labors, and in the various cities throughout the State, of many public officials and private citizens interested in this work, and also to particularly acknowledge the valuable help, advice and cooperation of Mr. Fred B. Wood, Legislative Counsel Bureau, C. C. Carlton and Richard Lazarus, of the Department of Public Works, Mr. Ben Blow, of the National Automobile Club, Mr. John B. Piatt, of Santa Rosa, J. Allen Davis, of the Automobile Club of Southern California, C. C. Cottrell, of the California State Automobile Association, Mary R. Schwab, attorney at law, Donald C. Young, attorney at law, of San Francisco, California, Carl F. Mow,

Redding, California, the chairman of the Joint Highway District Study Committee and the California State Chamber of Commerce.

Signed this first day of October, 1930.

LEGISLATIVE INTERIM COMMITTEE ON JOINT HIGHWAY DISTRICTS.

FRANK LUTTRELL, Chairman.
CHRIS JESPERSEN, Secretary.
CHARLES OLIVA.
A. E. BROCK.
J. J. WAGY.
ROY FELLOM.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Wagy: Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 15 of article XIII thereof, relating to the taxation of motor transportation companies operating under franchise.

Referred to Committee on Constitutional Amendments.

By Senator Sharkey: Senate Bill No. 447—An act to add a new section to the Civil Code, to be numbered 48*a*, relating to libel.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read first time, and referred to Committee on Elections.

By Senator Sharkey: Senate Bill No. 449—An act to amend sections 6.470, 6.470-1, 6.470-2, 6.472, 6.473, 6.476 and 6.477 of the School Code, relating to the purchase of standard school supplies by the county superintendent of schools.

Bill read first time, and referred to Committee on Education.

By Senator Sharkey: Senate Bill No. 450—An act to add four new sections to the California School Code, to be numbered 6.12, 6.13, 6.14, and 6.15, relating to the maintenance and repair of school property by the county superintendent of schools.

Bill read first time, and referred to Committee on Education.

By Senator Sharkey: Senate Bill No. 451—An act to add a new article to chapter I of part V of division II of the School Code, to be known as article VII, empowering and directing the Superintendent of Public Instruction to decide all questions of law arising under the School Code or under the rules and regulations of the State Board of Education.

Bill read first time, and referred to Committee on Education.

By Senator Sharkey: Senate Bill No. 452—An act to amend section 4.821 of the School Code, relating to the increase of apportionments to elementary school districts.

Bill read first time, and referred to Committee on Education.

By Senator Carter: Senate Bill No. 453—An act to amend chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the pur-

pose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Wag9: Senate Bill No. 454—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wag9: Senate Bill No. 455—An act to amend section 10 of chapter 47, Statutes of 1927, entitled the "Bovine Tuberculosis Law," relating to the establishment of control areas, the segregation and disposal of diseased animals, the amount of compensation to be paid the owner, and the powers of the Director of Agriculture.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Wag9: Senate Bill No. 456—An act to amend section 1963 of the Code of Civil Procedure, relating to presumptions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Wag9: Senate Bill No. 457—An act to amend section 77 of chapter 266, Statutes of 1923, entitled "The California Vehicle Act," relating to the additional weight fee required on commercial vehicle other than those operating under a franchise granted by the State Railroad Commission.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Mixer: Senate Bill No. 485—An act to amend section 25 of the Civil Code, relating to age of majority.

Bill read first time, and referred to Committee on Judiciary.

By Senator Mixer: Senate Bill No. 459—An act to amend section 667 of the Penal Code, relating to punishment for second offenses.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Fellom: Senate Bill No. 460—An act to amend section 6 and to add a new section to be known as section 6a to chapter 763, Statutes of 1929, entitled "An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable or across any stream that is a boundary line between California and

any other state, and to acquire franchises, rights, privileges, easements or other property, either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendation to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings, secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also providing that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and who shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings; also

authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of ways through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursements thereto," approved June 10, 1929, relating to bonds.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Williams: Senate Bill No. 461—An act to provide for the investigation of the value of forest cover in the conservation of water in the prevention of erosion on watershed areas and to make an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Williams: Senate Bill No. 462—An act to provide for the deposit of moneys for cooperative forest protection and investigation.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Williams: Senate Bill No. 463—An act to amend section 9 of chapter 354, Statutes of 1913, entitled the "State Medical Practice Act," approved June 2, 1913, as amended, relating to applications for certification under said act.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Hays: Senate Bill No. 464—An act to amend sections 3466 and 3480 of the Political Code, relating to reclamation districts.

Bill read first time, and referred to Committee on County Government.

By Senator Hays: Senate Bill No. 465—An act to amend section 2.801 of the School Code, relating to the liability of boards of school trustees, and to add a new section to the School Code, to be numbered section 2.990, providing for insurance by school districts.

Bill read first time, and referred to Committee on Education.

By Senator Crittenden: Senate Bill No. 466—An act to amend sections 1280, 1281a and to repeal sections 1267, 1268, 1278 and 1281 of the Political Code, relating to the canvass of election returns.

Bill read first time, and referred to Committee on Elections.

By Senators Crittenden, Bush, Schottky, and Hays: Senate Bill No. 467—An act declaring the public highway extending from Fresno,

in Fresno County, to Tracy, in San Joaquin County, and running through Mendota, Dos Palos, Newman and Crows Landing, to Tracy, to be a State highway, and making an appropriation for the survey and acquisition of rights of way of such road.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Slater: Senate Bill No. 468—An act to make an appropriation for the construction of jetties at the mouth of the Russian River.

Bill read first time, and referred to Committee on Finance.

By Senator Edwards: Senate Bill No. 469—An act to amend section 3714 of the Political Code of the State of California, relating to a budgetary system for counties and the levy of taxes therein.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Carter: Senate Bill No. 470—An act to add a new section to the Code of Civil Procedure, to be numbered 385a, relating to actions to recover damages for personal injuries.

Bill read first time, and referred to Committee on Judiciary.

By Senator Young: Senate Bill No. 471—An act to amend section 642 of the Political Code, relating to the duties of the fish and game commissioners.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senators Young, Nelson, Duval, Wagy, Slater, Fellom, and McKinley: Senate Bill No. 472—An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof and to repeal certain acts therein specified.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Fellom: Senate Bill No. 473—An act to add a new section to the Political Code, to be numbered 880, relating to officers appointed by the Governor or by the Governor with the consent of the Senate, and their tenure of office.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Fellom: Senate Bill No. 474—An act to add a new section to the Political Code to be numbered 345, relating to the tenure of certain State officers.

Bill read first time, and referred to Committee on Governmental Efficiency.

RECESS.

On motion of Senator Breed, at eleven o'clock and five minutes a.m., the President of the Senate declared recess until eleven o'clock and thirty-five minutes a.m.

RECONVENED.

At eleven o'clock and thirty-five minutes a.m., the Senate reconvened. Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

By Senator Evans: Senate Bill No. 475—An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the State Engineer certain additional duties and powers in connection with carrying out the purposes of this act.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Allen: Senate Bill No. 476—An act to add section 6a to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws.

Bill read first time, and referred to Committee on Judiciary.

By Senator Allen: Senate Bill No. 477—An act to repeal chapter 393, statutes of 1909, entitled "An act to fix the salaries of the State Forester, deputy forester and assistant forester," approved March 22, 1909, as amended.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Tubbs (by request): Senate Bill No. 478—An act to amend section 1161a of the Code of Civil Procedure, relating to recovery of possession of real property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tubbs: Senate Joint Resolution No. 8—Relative to the Eagles' Bill for the stabilization of employment.

Referred to Committee on Federal Relations.

By Senator Swing: Senate Bill No. 479—An act providing for study of the flood problems of the Mojave River and Santa Ana River system, the preparation of plans and specifications in connection therewith, providing for study of rainfall penetration in connection therewith, and establishment and maintenance of gauging stations, providing for the cooperation by interested counties and districts, and directing the Division of Engineering and Irrigation, Department of Public Works, to provide for the carrying on of said work under its own direction or under the direction of the Department of Agriculture of the United States, and relating thereto.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Inman: Senate Bill No. 480—An act relating to the escheat to the State of unclaimed moneys deposited with public utilities and providing for the collection, use and disposition thereof.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Inman: Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Bureau of Building and Loan Supervision and the office of Building and Loan Commissioner, provide for salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911, and acts amendatory thereof and supplemental thereto, chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Building and Loan Associations.

EXTRA COPIES ORDERED.

Senator Inman moved that the Secretary have the printer print 1000 extra copies of Senate Bill No. 481.

Motion carried, and such was the order.

By Senator McCormack: Senate Bill No. 482—An act to amend section 4263 of the Political Code, relating to the compensation of county and township officers in counties of the thirty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator McCormack: Senate Bill No. 483—An act to amend section 4253 of the Political Code, relating to the compensation of county and township officers in counties of the twenty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator McCormack: Senate Bill No. 484—An act relating to the maintenance of professorships of nursing education at the University of California at Berkeley and Los Angeles, defining the powers and duties of the State Director of Finance in relation thereto, and making an appropriation therefor.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator McCormack: Senate Bill No. 485—An act to amend section 2 of chapter 319, Statutes of 1913, entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,' " relating to examination fees.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Hays: Senate Bill No. 486—An act to protect the public from misrepresentation, imposition and fraud of advertising "doctors" by regulating the use of printing, publishing or any form of advertising of the words, and letters and abbreviations and titles of "doctor," "Dr.," "physician," "physician and surgeon," "surgeon," "M.D.," "D.C.," "D.O.," "N.D.," "Opt.D.," "D.S.C.," "Ph.C.," "Ph.D.," or any like title, abbreviation or appellation indicating that the user holds himself out as possessing knowledge, skill or power to treat any physical or mental ailment of human beings, imposing penalties for the violation thereof, and repealing all acts and parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Maloney: Senate Bill No. 487—An act to amend section 602a of the Political Code, relating to liability reserves of insurance companies and to the powers and duties of the Insurance Commissioners.

Bill read first time, and referred to Committee on Insurance.

By Senator Maloney: Senate Bill No. 488—An act to add a new section to the Political Code, to be numbered 602c, relating to risks and premiums on liability insurance policies, the powers and duties of the Insurance Commissioner, and the regulation, supervision and control of insurance companies, their agents, employees and brokers; and fixing penalties for the violation thereof.

Bill read first time, and referred to Committee on Insurance.

By Senator Waggy: Senate Bill No. 489—An act to amend sections 4005c, and 4006 of the Political Code, relating to the population and classification of counties, and declaring same an urgency measure.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 490—An act defining the civil liability for failure to control fire.

Bill read first time, and referred to Committee on Conservation.

By Senator Williams: Senate Bill No. 491—An act to amend section 384 of the Penal Code, relating to fires.

Bill read first time, and referred to Committee on Conservation.

By Senator Duval: Senate Bill No. 492—An act to add a new section to "An act to protect natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 15, as amended, to be numbered 166, relating to bonds required of drillers of oil and gas wells.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Pedrotti: Senate Bill No. 493—An act to amend section 1 of chapter 234, Statutes of 1913, entitled "An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose," approved June 5, 1913, Statutes 1913, page 388, to authorize counties, cities and counties and cities to acquire property to be granted to the State of California by purchase or proceedings in eminent domain.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Duval: Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the constitution of the State, amending section 2 of article IV of said constitution, relating to sessions of the Legislature, and abolishing the recess during regular sessions.

Referred to Committee on Constitutional Amendments.

By Senator Ingels: Senate Bill No. 494—An act to provide for the levy, collection and payment of an income tax on individuals, estates and trusts, and to provide for the allocation of the revenue therefrom.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Inman: Senate Bill No. 495—An act to add sections 2.1223, 6.313, 6.314, 6.315, 6.316, 6.523, 6.561½ to, and to amend sections 6.264, 6.523, 6.260, 6.262, and 6.296 of, the School Code, relating to the public school system.

Bill read first time, and referred to Committee on Education.

By Senator Crittenden: Senate Bill No. 496—An act to amend section 459 of the Penal Code, relating to burglary.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Edwards: Senate Bill No. 497—An act to amend section 20a of chapter 605, Statutes of 1919, entitled the "California Real Estate Act," relating to colonization subdivisions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Christian: Senate Bill No. 498—An act to amend section 2102 of the Political Code, relating to the National Guard.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Christian: Senate Bill No. 499—An act to amend section 2098 of the Political Code, relating to the National Guard.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Christian: Senate Bill No. 500—An act to amend section 200 of the Code of Civil Procedure, relating to exemption from jury duty.

Bill read first time, and referred to Committee on Judiciary.

By Senator Christian: Senate Bill No. 501—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 502—An act to amend section 849 of the Penal Code, relating to arrest without a warrant.

Bill read first time, and referred to Committee on Judiciary.

By Senator Baker: Senate Bill No. 503—An act to amend an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, by amending sections 806 and 882 thereof, relating to the jurisdiction of courts, in municipal corporations of fifth and sixth classes.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Riley: Senate Bill No. 504—An act to amend section 394 of the Code of Civil Procedure, relating to the place of trial of actions or proceedings to which a county, city and county or city is a party.

Bill read first time, and referred to Committee on Judiciary.

By Senator Riley: Senate Bill No. 505—An act to amend section 626c of the Penal Code and to add two new sections to the Penal Code, to be numbered 626c¼ and 626c½, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Riley: Senate Bill No. 506—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Riley: Senate Bill No. 507—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Riley: Senate Bill No. 508—An act to amend section 626s of the Penal Code, relating to the protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Riley: Senate Bill No. 509—An act to amend section 1248 of the Code of Civil Procedure, relating to what must be ascertained and assessed in condemnation suits.

Bill read first time, and referred to Committee on Judiciary.

By Senator Swing: Senate Bill No. 510—An act to revise the State Civil Service Act, relating to appointment to and tenure of office and employment under State authority and defining the powers and duties of the Civil Service Commission.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Swing: Senate Bill No. 511—An act to amend sections 348a to 349a, inclusive, of the Political Code, relating to administrative departments.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Swing: Senate Bill No. 512—An act to amend section 7 of the State Civil Service Act, relating to appointments under the act, and to positions excepted therefrom.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Swing: Senate Bill No. 513—An act to amend section 2 of the State Civil Service Act, relating to the State Civil Service Commission.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Swing: Senate Bill No. 514—An act to amend section 5 of the State Civil Service Act, relating to the powers and duties of the Civil Service Commission.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Swing: Senate Bill No. 515—An act to add a new article to chapter 3 of title 1 of part III to be numbered article 11, embracing sections 348 to 379, inclusive, of the Political Code, relating to the administrative departments of the State.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Swing: Senate Bill No. 516—An act in relation to the civil administration of the State government, and to repeal certain acts therein named.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Slater: Senate Concurrent Resolution No. 20—An act relative to the California State Fair and Western States Exposition.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY.

Senator Slater asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 20, without reference to committee, for purpose of adoption.

SENATE CONCURRENT RESOLUTION No. 20.

An act relative to the California State Fair and Western States Exposition.

WHEREAS, During the period from September 5 to 12, 1931, this State will celebrate the seventy-seventh anniversary of the founding of the California State Fair, which has every year exhibited to California and to the world the varied agricultural, mining, and industrial products of California and the west; and

WHEREAS, It is the desire of the people of the State of California to issue a special invitation to the states of the west to participate in this celebration: now, therefore, be it

Resolved by the Senate and Assembly, jointly. That the Legislature of the State of California invites Arizona, Montana, New Mexico, Wyoming, Utah, Texas, Washington, Oregon, Nevada, Colorado, and Idaho to unite with the people of this State in the celebration of this seventy-seventh anniversary of the State Fair; and be it further

Resolved, That copies of this resolution be forwarded by the Secretary of the Senate to the Governors of each of the said western states.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 20 adopted by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Crittenden, Denel, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 20 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Swing: Senate Bill No. 517—An act to amend sections 674, 675, 679 and 689 of, and to add section 658a to, the Political Code, relating to the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Tubbs (by request): Senate Bill No. 518—An act to add a new section to the Political Code, to be numbered 3664aaa, relative to the taxation of short line steam railroads, to take effect immediately.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Fellom: Senate Concurrent Resolution No. 21—Relative to the publication of a new edition of the constitution of the State of

California, the constitution of the United States, and other documents for use in the public schools of the State.

Referred to Committee on Contingent Expenses.

By Senator Carter: Senate Bill No. 519—An act to add a new section to the Political Code of the State of California to be numbered section 3692½, relating to the duties of the State Board of Equalization.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Pedrotti: Senate Bill No. 520—An act to amend section 5 of chapter 845, Statutes of 1929, entitled "An act to establish sales-rooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," as approved June 18, 1929, relating to the Industrial Workshop Revolving Fund.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Fellom: Senate Bill No. 521—An act to add a new section to the Political Code to be numbered 363g, relating to the office of General Counsel in the Department of Public Works.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senators Nelson, Breed, Denel, McKinley, and Jones: Senate Bill No. 522—An act to amend section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Carter: Senate Bill No. 523—An act to require display of the flag of the United States and the State flag of California in all court rooms where courts of justice are held under the laws of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carter: Senate Bill No. 524—An act appropriating money to pay the claim of J. Charles Jones against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Crittenden: Senate Bill No. 525—An act to amend section 18 of chapter 592, Statutes of 1913, entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, and relating to public work.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Swing: Senate Bill No. 526—An act authorizing the establishment of county traffic courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for

the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualifications and compensation, and for the selection of juries therein.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Swing: Senate Bill No. 527—An act to amend sections 154½ and 160 of the California Vehicle Act, approved May 30, 1923, as amended, relating to fines and forfeitures, change of venue as a matter of course, and the "City and County Major Highways Fund."

Bill read first time, and referred to Committee on Motor Vehicles.

By Senators Mixer, Crittenden, Nelson and Sharkey: Senate Bill No. 528—An act creating the California Water Resources Commission, to confer with the government of the United States of America regarding water development, defining the powers and duties of the commission and making an appropriation therefor, to take effect immediately.

Bill read first time.

CONSIDERATION OF SENATE BILL NUMBER FIVE HUNDRED TWENTY-EIGHT.

Senator Mixer asked for unanimous consent for the consideration of Senate Bill No. 528, without reference to committee.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 528:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 22, 1931.

To the Honorable Members of the Senate of the State of California.

GREETING: Senate Bill No. 528 provides for a commission of five members to confer with the federal authorities in Washington, D. C., regarding the water problems confronting the State of California.

It is my request that this bill be given immediate consideration by the Senate in order that the members of that commission may leave for Washington with the least possible delay to secure the cooperation of the federal government in solving these problems.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Senate Bill No. 528 referred to Committee on Finance.

RECESS.

On motion of Senator Breed, at twelve o'clock and twelve minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Christian: Senate Bill No. 529—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Alameda, State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Edwards: Senate Bill No. 530—An act concerning the Ehrenburg Bridge across the Colorado River.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Edwards: Senate Bill No. 531—An act appropriating money to pay the claim of W. P. Britton against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Evans: Senate Bill No. 532—An act to amend section 1 of chapter 374, Statutes of 1929, entitled "An act providing for the compilation of, printing, binding, publishing, and distribution of a legislative manual, State Blue Book, or roster, repealing all conflicting acts, approved May 21, 1929, relating to the time of publication.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Duval: Senate Bill No. 533—An act to amend section 2 of an act entitled "An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the county of Los Angeles which were heretofore transferred to and vested in said The Regents of the University of California by an act entitled 'An act repealing sections 1, 2 and 3 of an act entitled 'An act to establish a branch State Normal School,' approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the Regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles, continuing regular normal school training courses and providing an appropriation for the support and maintenance thereof,' approved May 23, 1919, and all other properties, real, personal and mixed, connected therewith or appurtenant thereto, and authorizing said The Regents of the University of California to hold, sell, lease or otherwise deal with the same and to dispose of proceeds realized from said holding, selling, leasing, or otherwise dealing with the same, and repealing all acts or parts of acts in conflict with this act," approved April 12, 1929.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Inman: Senate Bill No. 534—An act to declare provisions in contracts of employment whereby either party undertakes not to join, become or remain a member of a labor union or of any organization of employers or undertakes in such event to withdraw from the contract of employment, to be against public policy and void.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Hays: Senate Bill No. 535—An act making an appropriation for the education of children of those who were killed in action or who died from other causes while serving in the armed forces of the United States during the World War, from April 6, 1917, to July 2, 1921, and providing for the expenditure thereof.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Hays: Senate Bill No. 536—An act to amend section 4041f of the Political Code, relating to powers of counties as to facilities for veterans.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Bush: Senate Bill No. 537—An act to amend section 627 of the Penal Code, relating to trespass.

Bill read first time, and referred to Committee on Judiciary.

By Senator Bush: Senate Bill No. 538—An act to add a new section to be numbered 15a, to chapter 189, Statutes of 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, relating to the expenditure of money by the board of directors to advertise the lands, resources, conditions and business of the irrigation district.

Bill read first time, and referred to Committee on Irrigation.

By Senator Bush: Senate Bill No. 539—An act to amend section 2924 of the Civil Code, relating to sales of real property under deeds of trust.

Bill read first time, and referred to Committee on Judiciary.

By Senator Christian: Senate Bill No. 540—An act to amend section 653ac of the Civil Code, relating to the election and approval of trustees or directors of corporations formed to receive bequests, gifts, and donations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cassidy: Senate Bill No. 541—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by adding a new section thereto, to be numbered 132a, relating to publishing of statements of condition by banks operating branch offices.

Bill read first time, and referred to Committee on Banking.

By Senator Young: Senate Bill No. 542—An act to amend section 5 of chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to

provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Young: Senate Bill No. 543—An act to amend sections 3 and 5 of chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Breed: Senate Bill No. 544—An act to amend section 1 of chapter 582, Statutes of 1911, entitled "An act to carry into effect the provisions of subdivision (c) of section 14 of article XIII of the constitution of the State of California, as the said article was amended on the eighth day of November, in the year 1910, in so far as the same relates to the State University; and also to provide for the permanent support and improvement of the University of California; and to that end making a continuing appropriation and creating an annual fund therefor; and repealing an act entitled 'An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor, and to repeal an act approved February 14, 1887, entitled "An act to provide for the permanent support and improvement of the University of California by the levy of a rate of taxation and the creation of a fund therefor," and also to repeal an act approved February 27, 1897, entitled "An act to provide additional support and maintenance, and for the acquisition of necessary property and improvements of the University of California, by the levy of a rate of taxation, and the creation of a fund therefor," approved March 20, 1909.' "

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Assembly Bill No. 545—An act to amend section 8 of chapter 76, Statutes of 1909, entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending section 28, relating to the definition and regulation of the business of banking.

Bill read first time, and referred to Committee on Banking.

By Senator Breed: Senate Bill No. 546—An act to amend the "California Vehicle Act" approved May 30, 1923, as amended by amending section 77 of said act, relating to the registration fees to be paid upon registration of motor vehicles, trailers and semitrailers.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Breed: Senate Bill No. 547—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Breed: Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the "California Vehicle Act," as amended, by amending the title thereof, and by amending sections 7, 7 $\frac{1}{2}$, 8 $\frac{1}{2}$, 21, 29, 35, 36, 41, 43, 47, 64, 72, 83 $\frac{1}{2}$, 85, 87, 89, 90, 91, 94, 95, 96, 100, 106, 110, 111, 113, 119, 122, 123, 124, 125, 126, 135, 136, 138, 142, 145, 146, and by adding thereto new sections numbered 7 $\frac{1}{2}$, 45 $\frac{3}{4}$, 47 $\frac{1}{2}$, 57 $\frac{1}{2}$, 62 $\frac{1}{2}$, 64 $\frac{1}{2}$, 111 $\frac{1}{2}$, 113 $\frac{1}{2}$, 114 $\frac{1}{2}$, 131 $\frac{1}{2}$, 135 $\frac{1}{2}$, 136 $\frac{1}{2}$, 139 $\frac{1}{2}$, 145 $\frac{1}{2}$, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage of vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Breed: Senate Bill No. 549—An act to add a new section, to be numbered 1a, to chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining, or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, describing penalties for violation of the provisions of said act, and repealing all acts and parts of acts, inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927, as amended, relating to a revolving fund for the State Highway Commission.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Maloney: Senate Bill No. 550—An act to amend section 3718 of the Political Code, relating to taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Carter: Senate Bill No. 551—An act to amend sections 373e and 373f of the Political Code and to add new sections numbered 373j to 373____, inclusive, creating in the Department of Natural Resources a Marine and Commercial Fish Commission and defining its powers and duties.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crittenden: Senate Constitutional Amendment No. 15—A resolution proposing to the people of the State of California a limitation of taxes on real estate by amending sections 1 and 14 of article XIII of the constitution of California.

Referred to Committee on Constitutional Amendments.

By Senator Allen: Senate Constitutional Amendment No. 16—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article

XI of the constitution, relating to the amendment of municipal charters.

Referred to Committee on Constitutional Amendments.

EXTRA COPIES OF SENATE CONSTITUTIONAL AMENDMENT
NUMBER FIFTEEN ORDERED.

At request of Senator Crittenden, the Secretary was instructed to order 300 extra copies of Senate Constitutional Amendment No. 15.

By Senator Jones: Senate Bill No. 552—An act to amend section 11 of chapter 176, Laws of 1913, as amended by chapter 762, Laws of 1927, by providing that fees collected by the Industrial Accident Commission may be expended by said commission.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 553—An act to amend subdivision (c) of section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, with respect to limitations of time for instituting proceedings for the collection from an employer of additional compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 554—An act to amend subdivision (d) of section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by permitting decision on rehearing after 245 weeks from the date of the injury.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 555—An act to amend subdivision (e) of section 27 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by extending the limitation of time for the filing of proceedings for compensation where a release or compromise agreement has not been approved by the commission.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 556—An act to amend subdivision (b) of section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing for the extension of limitations of time in cases of injury where the effects are latent and delayed.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 557—An act to amend subdivision (a) of section 64 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that each party to a proceeding shall have the separate right to petition for a rehearing.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 558—An act to amend section 29 of the "Workmen's Compensation, Insurance and Safety Act of 1917," as amended, by providing that in prosecutions for violations of said act under this section, the burden of proof shall rest upon the defendant to show compliance with said act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Williams: Senate Bill No. 559—An act to revise the Corporate Securities Act.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Jones: Senate Bill No. 560—An act to amend section 15 of "The Juvenile Court Law," relating to persons free from parental control.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 561—An act to amend sections 224, 224*m* and 226 of the Civil Code, relating to adoption.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 562—An act to regulate investment trusts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 563—An act to promote the development of the California dried fruit industry and to prevent deception in the packing and sale of dried fruit by providing for the establishment and definition of standards for dried fruit, by authorizing the Director of Agriculture to provide for the certification of dried fruits, establishing a Dried Fruit Certification Fund and Revolving Fund, and making an appropriation to carry out the provisions hereof.

Bill read first time, and referred to the Committee on Agriculture and Live Stock.

By Senator Allen: Senate Bill No. 564—An act to amend section 11 of chapter 171, Statutes of 1923, entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties of violations thereof." Approved May 17, 1923, as amended, relating to the collection of taxes.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Breed: Senate Bill No. 565—An act granting certain lands and salt marsh and tidelands of the State of California to the city of Oakland, including the management, use and control thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Carter: Senate Bill No. 566—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation.

Bill read first time, and referred to Committee on Commerce and Navigation.

RECESS.

On motion of Senator Breed, at three o'clock p.m., the President of the Senate declared recess until three o'clock fifteen minutes p.m. to hear remarks from Senor Ernesto Aguilar, representing the Rotary clubs of Mexico in a good-will tour of California.

RECONVENED.

At three o'clock and fifteen minutes p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

By Senator Carter: Senate Bill No. 567—An act to amend section 538 of the Civil Code, relating to malicious injury to telegraph, telephone, electric power and gas property.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carter: Senate Bill No. 568—An act to amend section 539 of the Civil Code, relating to the recovery of damages for the breaking or injuring of subaqueous telegraph, telephone and electric power cables or gas pipe lines.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cleveland: Senate Bill No. 569—An act regulating the sale of bananas.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Cleveland: Senate Bill No. 570—An act to amend section 160 of chapter 266, Statutes of 1923, relating to patrol of highways.

Bill read first time, and referred to Committee on Motor Vehicles.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation to which was referred Senate Bill No. 325—An act to amend sections 8 and 14 of an act, entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to taxes upon banks and corporations;

Also: Senate Bill No. 326—An act to amend sections 5, 9, 24, 25, 26, 27 and 32 of chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations; Has had the same under consideration, and respectfully reports the same back, and recommends that same do pass.

Committee membership—13; committee vote: Ayes—8.

NELSON, Chairman.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED

TWENTY-FIVE.

Senate Bill No. 325—An act to amend sections 8 and 14 of an act entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to taxes upon banks and corporations.

AMENDMENTS FROM THE FLOOR.

During the second reading of the bill, the following amendments were offered, and their adoption moved, by Senator Nelson:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the words "said act" and insert in lieu thereof the following: "an act entitled 'An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes,' approved March 1, 1929."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, after the word "taxes," strike out the comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, after the word "year," strike out the comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, after line 3, of the printed bill, insert the following paragraph:
"(i) In the case of a building and loan association, organized and operating wholly or partly on a mutual plan, the return paid or credited on or apportioned to the withdrawable shares of such association, but not exceeding the return such shares would receive computed at the average rate paid by all such associations in this State, or by such associations in a particular locality, as the building and loan commissioner of this State may determine, on money borrowed or obtained through the issue during the taxable year of the association of all classes of notes and investment certificates not evidencing any proprietary interest in the association, such rate to be determined by the building and loan commissioner and certified by him to the franchise tax commissioner on or before the first day of March of each year."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED TWENTY-SIX.

Senate Bill No. 326—An act to amend sections 5, 9, 24, 25, 26, 27 and 32 of chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations.

AMENDMENTS FROM THE FLOOR.

During the second reading of the bill, the following amendments were offered, and their adoption moved, by Senator Nelson:

AMENDMENT NUMBER ONE.

On page 4, line 43, of the printed bill, strike out the word "commission", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 32, of the printed bill, after the word "shall", insert the word "immediately".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Nelson, the Secretary was directed to issue a rush order for printing Senate Bills Nos. 325 and 326.

SPECIAL ORDER.

Senator Nelson moved that Senate Bills Nos. 325 and 326 be made a special order for eleven o'clock a.m., Friday, January 23, 1931.

Motion carried.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 7—Relative to the charter of the city of San Buenaventura, State of California, voted for and ratified by the qualified voters of said city of San Buenaventura, upon a general election held therein on the fourth day of November, 1930.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Concurrent Resolution No. 7 referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 6—Relative to approving certain amendments to the charter of the city of Modesto, county of Stanislaus, State of California, voted for and ratified by the electors of the said city of Modesto, at a special municipal election held therein on the thirteenth day of January, 1931.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SIX.

Senator Bush asked for, and was granted, unanimous consent for the consideration of Assembly Concurrent Resolution No. 6, without reference to committee, for purpose of adoption.

Assembly Concurrent Resolution No. 6—Relative to approving certain amendments to the charter of the city of Modesto, county of Stanislaus, State of California, voted for and ratified by the electors of the said city of Modesto, at a special municipal election held therein on the thirteenth day of January, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 6 adopted by the following vote:

AYES—Allen, Breed, Bush, Carter, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, Moran, Rich, Riley, Schottky, Sharkey, Slater, Wagy, and Williams—24.

NOES—None.

Assembly Concurrent Resolution No. 6 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 784—An act making an appropriation to meet a deficiency for the construction of jetties at the mouth of the

Russian River, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED EIGHTY-FOUR.

Senator Slater asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 784, without reference to committee.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34, of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 784:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 22, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 784 makes an appropriation to meet a deficiency for the construction of jetties at the mouth of the Russian River.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

RESOLUTION.

The following resolution was offered:

By Senator Slater:

Resolved, That Assembly Bill No. 784 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Wagy, and Williams—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 784.

SECOND READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED EIGHTY-FOUR.

Assembly Bill No. 784—An act making an appropriation to meet a deficiency for the construction of jetties at the mouth of the Russian River, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

Sec. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Wagye, and Williams—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 784 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Wagye, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 783—An act making an appropriation for major construction and equipment of border plant quarantine inspection stations in Del Norte and Siskiyou counties; declaring the urgency thereof and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWILL, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED EIGHTY-THREE.

Senator Allen asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 783, without reference to committee.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 783:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 22, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 783 makes an appropriation for major construction and equipment of border plant quarantine inspection stations in Del Norte and Siskiyou counties.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

RESOLUTION.

The following resolution was offered:

By Senator Allen:

Resolved, That Assembly Bill No. 783 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Wagy, and Williams—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 783.

SECOND READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED EIGHTY-THREE.

Assembly Bill No. 783—An act making an appropriation for major construction and equipment of border plant quarantine inspection stations in Del Norte and Siskiyou counties; declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Wagy, and Williams—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 783 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 782—An act making an appropriation for major construction and equipment at the Veterans' Home of California, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 782:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 22, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 782 makes an appropriation for major construction and equipment at the Veterans' Home of California.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

Assembly Bill No. 782 ordered on unfinished business file.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 9—Relative to urging the Post Office Department of the United States to cease its survey for and action in reducing the personnel of the postal service of the United States during the present depression in business and commerce and requesting a reinstatement of men who have been surveyed out.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER NINE.

Senator Maloney asked for, and was granted, unanimous consent for the consideration of Assembly Joint Resolution No. 9, without reference to committee, for purpose of adoption.

ASSEMBLY JOINT RESOLUTION No. 9.

Relative to urging the Post Office Department of the United States to cease its survey for and action in reducing the personnel of the United States during the present depression in business and commerce and requesting a reinstatement of men who have been surveyed out.

WHEREAS, It appears that for some months a survey has been in progress by the Post Office Department of the United States for the purpose of reducing the personnel of the postal service; and

WHEREAS, It appears that great numbers of men are being daily discharged from the postal service, many of whom have families and have been in the postal service for years, and are thus thrown out in the world to make a living, and most of whom are unable to secure employment and are increasing the ranks of the unemployed; and

WHEREAS, There has existed for some time a wide depression in industry resulting in many thousands of deserving persons being without any source of income through no immediate fault of their own; now, therefore, be it

Resolved by the Assembly and the Senate, jointly, That the Legislature of the State of California does hereby request the Post Office Department of the United States to withhold such survey action and that until such depression is over it survey out only those men which it may find absolutely necessary and that it reinstate those men who have been dismissed from the service.

Resolved, further, That the Chief Clerk of the Assembly is hereby directed to transmit by airmail forthwith upon its adoption copies of this resolution to the Postmaster General and to the United States Senators and Members of Congress of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 9 adopted by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Cleveland, Crittenden, Edwards, Evans, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Minter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 9 ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Assembly Bill No. 760—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.

By JOHN STOCKWELL, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED SIXTY.

Senator Crittenden asked for, and was granted, unanimous consent for consideration of Assembly Bill No. 760, without reference to committee.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication, recommending the passage of Assembly Bill No. 760.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 21, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 760 makes an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

RESOLUTION.

The following resolution was offered:

By Senator Crittenden:

Resolved, That Assembly Bill No. 760 represents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Wagy, and Williams—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly bill No. 760.

SECOND READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED SIXTY.

Assembly Bill No. 760—An act making an appropriation to meet a deficiency in the appropriation for subsidies of the Bureau of Tuberculosis of the Department of Public Health, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

Sec. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it shall take effect immediately under the provisions of section 1, of article IV, of the constitution.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Wagy, and Williams—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 760 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 759—An act making

an appropriation to meet a deficiency in the appropriation for the construction and completion, equipment and furnishing of an addition to the State Office Building at San Francisco, California, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 759:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.
SACRAMENTO, January 21, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 759 makes an appropriation to meet a deficiency in the appropriation for the construction and completion, equipment and furnishing of an addition to the State Office Building at San Francisco.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED
FIFTY-NINE.

Senator Maloney asked unanimous consent for the consideration of Assembly Bill No. 759, without reference to committee.

Unanimous consent refused.

Assembly Bill No. 759 referred to Committee on Finance.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1090—An act to amend section 751 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to cities of the fifth class, to take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 1090 ordered on unfinished business file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 13—Relative to joint rules of Senate and Assembly.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Senate Concurrent Resolution No. 13 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 758—An act making an appropriation to pay the cost of the preparation and printing of a complete report of data upon the methods of financing and refinancing irrigation, reclamation, and other improvement districts in agricultural regions secured pursuant to the provisions of

chapter 520, Statutes of 1929, declaring the urgency thereof and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STECKWELL, Assistant Clerk.

Assembly Bill No. 758 ordered on file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred Senate Concurrent Resolution No. 21—Relative to the publication of a new edition of the constitution of the State of California, the constitution of the United States, and other documents for use in the public schools of the State—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

(Signed out)

INGELS, Chairman.
MALONEY.
WILLIAMS.

Senate Concurrent Resolution No. 21 ordered on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS—(RESUMED).

By Senator Fellom: Senate Bill No. 571—An act to provide for the study of certain matters relating to crime, criminals, and penal laws, by the University of California.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Fellom: Senate Bill No. 572—An act to regulate the hours of labor and employees on street railways, electric and elevated railways; providing penalties for the violation of its provisions and repealing all acts or parts of acts in conflict with this act.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Breed: Senate Bill No. 573—An act making appropriation of money to be used by the Attorney General in the payment of expenses in the proceeding brought by the Attorney General in the Court of Claims of the United States in behalf of the Indians of the State of California, in accordance with an act of the Legislature of 1927, Statutes of 1927, chapter 643.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 574—An act to amend section 475 of the Political Code, relating to clerks, phonographic reporter, service agent and stenographers of the Attorney General's office.

Bill read first time, and referred to Committee on Finance.

By Senator Mixter: Senate Bill No. 575—An act to amend sections 2, 4, and 5 of an act entitled, "An act to create the office of Public Defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the compensation of Public Defender.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 576—An act to amend sections 1 and 10, and to add two new sections, to be numbered sections 3a and 3b,

to chapter 137, Statutes of 1915, entitled the "Presidential Primary Act," relating to presidential electors.

Bill read first time, and referred to Committee on Elections.

By Senator Mixter: Senate Bill No. 577—An act to relieve any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and all public ways and other property and rights of way of the public from requirements that such person, company, association or corporation pave, repave, macadamize, remacadamize, or otherwise improve any part of any such public highway, road, street, avenue, boulevard, lane, alley, court, place, or public way or other property or right of way of the public, and repealing all acts or parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Fellom: Senate Bill No. 578—An act to amend section 6 of chapter 52, Statutes of 1917, entitled "An act providing for the creation, organization, and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, relating to estimates and surveys.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Fellom: Senate Bill No. 579—An act to amend section 1 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of highways, bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 15, 1923, as amended.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Fellom: Senate Bill No. 580—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners: defining the powers, duties, and jurisdiction of said port district: providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district: authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said

port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator McKinley: Senate Bill No. 581—An act to amend section 1027 of the Code of Civil Procedure, relating to costs of appeal.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 582—An act authorizing the Director of Finance to contract for the exhibiting of California live stock.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Cassidy: Senate Bill No. 583—An act to amend section 29 of the California Vehicle Act, relating to the Division of Motor Vehicles.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Williams: Senate Bill No. 584—An act to amend sections 2, 4 and 6 of the "Act Concerning Cosmetology."

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Williams: Senate Bill No. 585—An act to amend section 90 of chapter 266, Statutes of 1923, entitled the California Vehicle Act, approved May 30, 1923, as amended, by adding thereto a new subsection to be known as (d).

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Ingels: Senate Bill No. 586—An act to add a new section to the Political Code, to be numbered section 361k, creating the office of attorney for the State Department of Agriculture.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Cleveland: Senate Bill No. 587—An act to amend section 2 of chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Jones: Senate Bill No. 588—An act to amend section 639 of the Civil Code, relating to arrearages in dues or loan install

ments of nonborrowing and borrowing shareholders or building and loan associations.

Bill read first time, and referred to Committee on Building and Loan Associations.

By Senator Jones: Senate Bill No. 589—An act to amend section 42 of chapter 266, Statutes of 1923, entitled the California Vehicle Act, approved May 30, 1923, relating to the number plates to be furnished by the division.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senators Rochester, Nelson and Jones: Senate Bill No. 590—An act to add a new section to the Probate Code to be numbered 71.5, relating to the revocation of wills.

Bill read first time, and referred to Committee on Judiciary.

By Senators Rochester, Nelson and Jones: Senate Bill No. 591—An act to amend section 226 of the Probate Code, relating to the persons who may succeed to the estates of persons dying intestate.

Bill read first time, and referred to Committee on Judiciary.

By Senators Rochester, Nelson and Jones: Senate Bill No. 592—An act to repeal chapter 18 of the Probate Code, relating to partition, consisting of sections 1100 to 1111, inclusive, and to enact a new chapter 18 of the Probate Code, consisting of sections 1100 to 1106, inclusive, relating to partition of estates of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Senators Rochester, Nelson and Jones: Senate Bill No. 593—An act to amend section 421 of the Probate Code, relating to the right of administration upon estates of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Senators Rochester, Nelson and Jones: Senate Bill No. 594—An act to amend section 75 of the Probate Code, relating to the revocation of wills.

Bill read first time, and referred to Committee on Judiciary.

By Senators Rochester, Nelson and Jones: Senate Bill No. 595—An act to amend section 780 of the Probate Code, relating to the sale of real property of decedents.

Bill read first time, and referred to Committee on Judiciary.

By Senators Rochester, Nelson and Jones: Senate Bill No. 596—An act to amend section 585 of the Probate Code, relating to the deposit of money by executors and administrators.

Bill read first time, and referred to Committee on Judiciary.

By Senators Rochester, Nelson and Jones: Senate Bill No. 597—An act to revise and consolidate the law relating to guardianship, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law herein revised and consolidated and herein specified; and to establish a Division of the Probate Code.

Bill read first time, and referred to Committee on Judiciary.

By Senator Maloney: Senate Bill No. 598—An act to amend section 77 of the California Vehicle Act, approved May 30, 1923, as amended, relating to registration fees.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Harper: Senate Bill No. 599—An act to define and regulate the practice of shorthand reporting; creating a State Board of Shorthand Reporting, and providing for its powers and duties; providing for the examination and certification of shorthand reporters, with the designation of "Certified Shorthand Reporter"; providing for the reporting, taking, and certifying of depositions by certified shorthand reporters; and prescribing penalties for violations of this act.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator McKinley: Senate Bill No. 600—An act to add a new section to the Penal Code, to be numbered 969*b*, to provide for the admission in evidence in criminal cases of the official records of State penitentiaries or reformatories of sister states or of any federal penitentiary.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 601—An act to add a new section to the Penal Code, to be numbered 969*c*, to provide a method for the exemplification of copies of official records of the penitentiaries or reformatories of sister states, or of federal penitentiaries, to authorize the admission of such records in evidence in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 602—An act providing for the disposition of exhibits filed with the court in criminal cases and for the withdrawal of such exhibits both before, during or after trial.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 603—An act to amend section 476 of the Penal Code, relating to the making, passing, uttering and publishing of fictitious bills, notes and checks, and providing the penalty therefor.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 604—An act to add a new section to the Penal Code, to be numbered 969*d*, to provide that exemplified copies of the judgment and conviction, together with exemplified copies of official records of State penitentiaries or reformatories of sister states, or of federal penitentiaries, shall constitute prima facie evidence of a prior conviction.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 605—An act to amend section 1329 of the Penal Code of the State of California, relating to fees of witnesses when from without the county, or without the State of California.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 606—An act to amend section 1087 of the Penal Code, relating to number, selection and duties of alternate jurors and to number of peremptory challenges in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 607—An act to amend section 484 of the Penal Code, defining theft.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 608—An act to amend section 1093 of the Penal Code, relating to the order of trial in criminal cases.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 609—An act to provide a method of suppression of bucket shops by injunction.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 610—An act to amend section 1426 of the Penal Code, relating to proceedings in justice's court and municipal courts.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 611—An act to amend section 182 of the Penal Code, defining criminal conspiracy.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 612—An act to amend section 473 of the Penal Code, relating to and providing for the penalty for the commission of forgery.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 613—An act to amend section 270a of the Penal Code, relating to abandonment of wife and omitting to furnish wife with necessaries.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley : Senate Bill No. 614—An act to amend section 689 of the Penal Code, providing that no person can be convicted of a public offense but upon verdict or judgment.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 615—An act to amend section 596 of the Penal Code, relating to the administering of poison to animals and the malicious exposing of poisonous substance with intent that the same shall be taken or swallowed by animals.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 616—An act to amend section 270 of the Penal Code, relative to omitting to provide child with necessities.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 617—An act to amend section 3881 of the Political Code, relating to assessor maps.

Bill read first time, and referred to Committee on County Government.

By Senator McKinley: Senate Bill No. 618—An act to amend section 66 of the Code of Civil Procedure, and to provide for a permanent criminal department of the superior court, in the county of Los Angeles.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator McKinley: Senate Bill No. 619—An act to repeal section 1879 of the Political Code, relating to the offering of bribes to members of boards of education and boards of school trustees.

Bill read first time, and referred to Committee on Education.

By Senator McKinley: Senate Bill No. 620—An act to be known as the Alien Residence, Employment and Vocational Law, defining a legal resident of the State of California as distinguished from a citizen of the State; declaring that any person of foreign birth who obtained admission to the United States illegally or one who comes within the classification "Undesirable Alien" as defined by the laws of the United States is disqualified from becoming a legal resident of this State; prohibiting employment of persons illegally resident in the State; prohibiting such persons from engaging in business in this State and legal residents from employing or engaging in business with such person; providing for the administration and enforcement of this act by the Director of the Department of Industrial Relations, peace officers and the courts; providing penalties for violations hereof and repealing all acts and parts of acts in conflict herewith.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 621—An act to create a conservation and sanitation district to be called "The Conservation and Sanitation District": to provide for the control, disposition and rectification of sewerage and metropolitan waste, and for the protection of harbors, waterways, public highways and property in said district: to increase the water available for agricultural purposes, for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness and the voting, issuing and selling of bonds and the levying and collecting of taxes by said district: to pro-

vide for the government and control of said district, and to define the powers and duties of the officers thereof.

Bill read first time, and referred to Committee on County Government.

By Senator McKinley: Senate Bill No. 622—An act to amend an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," by increasing the purposes for which said Los Angeles County Flood Control District was created.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator McKinley: Senate Bill No. 623—An act to amend section 199 of the Code of Civil Procedure, relating to jurors.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 624—An act making an appropriation to secure a site and erect a home for women veterans of the United States Army, Navy or Marine Corps.

Bill read first time, and referred to Committee on Military Affairs.

By Senator Sharkey: Senate Bill No. 625—An act making an appropriation for the enforcement by the Railroad Commission of certain provisions of the Public Utilities Act.

Bill read first time, and referred to Committee on Finance.

By Senator Cassidy: Senate Bill No. 626—An act to amend section 602 of the Political Code, relating to the determination of insolvency of insurance corporations.

Bill read first time, and referred to Committee on Insurance.

By Senator Cassidy: Senate Bill No. 627—An act to add new sections to the Civil Code, to be numbered 1426d¹ and 1426d², relating to discovery shafts on lode and placer mining locations.

Bill read first time, and referred to Committee on Mines and Mining.

By Senator Cassidy: Senate Bill No. 628—An act to amend sections 37 and 40 of chapter 176, Statutes of 1913, known as the "Workmen's Compensation, Insurance and Safety Act," approved May 26, 1913, as amended, relating to fixation of rates for workmen's compensation insurance.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cassidy: Senate Bill No. 629—An act to amend section 602b of the Political Code, relating to the filing of classifications of risks and premium rates, the requiring of the furnishing of information by the Industrial Accident Commission to the State Insurance Com-

missioner and to the requiring of filing of an annual report of its loss experience by every insurance carrier.

Bill read first time, and referred to Committee on Insurance.

By Senator Cassidy: Senate Bill No. 630—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to fees.

Bill read first time, and referred to Committee on Judiciary.

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with the Senate resolution by Senators Williams and Cassidy, relative to investigating generally into the general system of insurance covering the mining industry, as printed in the Senate Journal of January 21, the President announced the appointment of Senators Allen, Carter, Cassidy, Rich and Williams.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until nine o'clock a.m., Friday, January 23, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Friday, January 23, 1931.

The Senate met at nine o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names.

Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, January 22, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Swing was, on motion of Senator Sharkey, granted leave of absence for this day.

Senator Baker was, on motion of Senator Cleveland, granted leave of absence for this day.

Senator Rochester was, on motion of Senator Carter, granted leave of absence for this day.

MOTION PROHIBITING LEAVES OF ABSENCE.

Senator Evans moved, seconded by Senator Duval, that the Senate refuse any further requests for leaves of absence for this day.

Motion carried, and such was the order.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wesley Ash, department manager of the Federal Department of Commerce.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. V. Buell of the Sacramento Bee.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Roland Hill of Bakersfield.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 9—Relative to a joint committee for conference at Portland, Oregon, on uniform provisions in vehicle laws.

ARTHUR A. O'NIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Concurrent Resolution No. 9 ordered on unfinished business file.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, January 23, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 489—An act to amend sections 4005c, and 4006 of the Political Code, relating to the population and classification of counties, and declaring same an urgency measure—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; Committee vote: Ayes—6.

WAGGY, Chairman.

Senate Bill No. 489 ordered on file.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Cassidy: Senate Bill No. 631—An act providing for the collection of money advanced in payment of taxes on real property by coowners.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Cassidy: Senate Bill No. 632—An act to amend sections 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, and 84 of chapter 187, Statutes of 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction

thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 21, 1897, as amended, relating to the exclusion of land from irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Senator Cassidy: Senate Bill No. 633—An act to amend sections 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, and 84 of chapter 187, Statutes of 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 21, 1897, as amended, relating to the exclusion of land from irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Senator Cassidy: Senate Bill No. 634—An act to amend sections 1, 2, 3, and 4 of chapter 354, Statutes of 1913, entitled "An act to regulate the examination of applicants for licenses, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treatment of sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulations,' approved May 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the office of State Medical Examiner.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Cassidy: Senate Bill No. 635—An act to amend sections 1, 2, 3 and 4 of chapter 354, Statutes of 1913, entitled "An act to regulate the examination of applicants for licenses, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treatment of sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulations,' approved May 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," approved June 2, 1913, as amended, relating to the office of State Medical Examiner.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Cassidy: Senate Bill No. 636—An act providing for the taking over by the State of California of a certain road in the county of Sierra, and declaring the same to be a State highway and for the maintenance and improvement of the same as a State road or State

highway, and authorizing the board or boards of supervisors of Sierra County to convey said road to the State of California.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Cassidy: Senate Bill No. 637—An act providing for the taking over by the State of California of a certain road in the county of Placer, and declaring the same to be a State highway and for the maintenance and improvement of the same as a State road or State highway, and authorizing the board or boards of supervisors of Placer County to convey said road to the State of California.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Cassidy: Senate Bill No. 638—An act providing for the taking over by the State of California of a certain road in the county of Sierra, and declaring the same to be a State highway and for the maintenance and improvement of the same as a State road or State highway, and authorizing the board or boards of supervisors of Sierra County to convey said road to the State of California.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Carter: Senate Bill No. 639—An act to amend section 464 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosive.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Carter: Senate Bill No. 640—An act to add a new section to the Penal Code, numbered 487*a*, relating to the commission of a series of petit thefts by the same person.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Carter: Senate Bill No. 641—An act to amend section 197 of the Penal Code, defining justifiable homicide.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carter: Senate Bill No. 642—An act to amend section 2 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers, or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to

repeal chapter 145 of California Statutes of 1917, relating to the same subject." approved June 13, 1923, and relating to penalties for violations of this act.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carter: Senate Bill No. 643—An act to add a new section to the Penal Code, to be numbered 1183, relating to evidence admissible upon the hearing of a motion for new trial.

Bill read first time, and referred to Committee on Judiciary.

By Senator Carter: Senate Bill No. 644—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator Slater: Senate Bill No. 645—An act declaring and establishing a secondary State highway along the Russian River arterial through Cotati, Sebastopol, Forestville, Guerneville, Monte Rio and Jenner, and from Petaluma through Lakeville in the county of Sonoma.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Slater: Senate Bill No. 646—An act to transfer all property which was acquired in any manner for the use of the California Industrial Farm for Women to the Sonoma State Home.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator McKinley: Senate Bill No. 647—An act to amend sections 1699, 1701 and 1703 of the Code of Civil Procedure, relating to the jurisdiction of testamentary trusts.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 648—An act to amend sections 1517, 1523 and 1526 of the Code of Civil Procedure, relating to the sale of personal property in probate.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 649—An act to add a new section, to be numbered section 2284, to the Civil Code, relating to beneficiaries of trusts.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 650—An act to amend section 1333 of the Code of Civil Procedure, relating to the contest of wills after probate.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 651—An act to amend section 2280 of the Civil Code, relating to the revocation of trusts.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 652—An act to add a new section to the Code of Civil Procedure, to be numbered 1614a, relating to the administration of estates.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 653—An act to repeal section 1443 of the Code of Civil Procedure and to amend section 1444 of the

same code, relating to the inventory and appraisement of estates of deceased persons, the appointment of appraisers of such estates, their duties and compensation.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 654—An act to amend section 3265*g* of the Civil Code, relating to stopping payment of checks.

Bill read first time, and referred to Committee on Banking.

By Senator McKinley: Senate Bill No. 655—An act to amend section 1203 of the Penal Code, relating to probation of persons arrested for crime, after plea or verdict of guilty, and the suspending of the imposition or execution of sentence during the term of probation or the imposition of jail sentence or fine or both or other conditions to fit the crime in connection with probation, and the disposition of such accusation after full compliance with the terms of probation and providing for the creation of offices of adult probation officer, assistant adult probation officer and deputy adult probation officer and fixing their compensation and duties, and providing for adult probation boards in said counties and cities and counties.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 656—An act to amend section 1382 of the Penal Code, relating to dismissal of criminal actions.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 657—An act to amend section 1205 of the Penal Code, relating to fines and imprisonment.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 658—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 659—An act to amend section 1239 of the Penal Code, relating to appeals in criminal actions.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 660—An act to amend section 995 of the Penal Code, declaring the grounds for setting aside an indictment or information.

Bill read first time, and referred to Committee on Revision of Criminal Law and Procedure.

By Senator McKinley: Senate Bill No. 661—An act to amend section 1 of chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to pro-

hibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to penalties for violation of this act.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKinley: Senate Bill No. 662—An act to amend section 2 of Chapter 339, Statutes of 1923, entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms, capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," relating to the possession by aliens, felons and narcotic addicts.

Bill read first time, and referred to Committee on Judiciary.

By Senator Bush: Senate Bill No. 663—An act making an appropriation for the construction of the Big Oak Flat and Yosemite Road in Tuolumne and Mariposa counties, and to provide that such appropriation be available when matched by federal appropriation.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Bush: Senate Bill No. 664—An act to add a new chapter to part V of division III of the School Code of the State of California, relating to the powers of the boards of supervisors with regard to the expenses of education in their several counties.

Bill read first time, and referred to Committee on Education.

By Senator Bush: Senate Bill No. 665—An act to amend sections 4.365 and 4.366 of article VII, chapter I, part III of division IV of the School Code of the State of California, relating to district budgets.

Bill read first time, and referred to Committee on Education.

By Senator Bush: Senate Bill No. 666—An act to amend sections 4.370, 4.371, 4.372 and 4.373 of article VIII, chapter I, part III of

division IV of the School Code of the State of California, relating to levy of school district taxes.

Bill read first time, and referred to Committee on Education.

By Senator Bush: Senate Bill No. 667—An act to repeal chapter V of part III of division V of the School Code, relating to teachers institutes.

Bill read first time, and referred to Committee on Education.

By Senator Bush: Senate Bill No. 668—An act to amend section 19x16 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of twenty-one years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of Industry, the California School for Girls, and other institutions; establishing probation officers and probation committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons, fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law, approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, Statutes 1915, page 1225.

Bill read first time, and referred to Committee on County Government.

By Senator Bush: Senate Bill No. 669—An act to amend section 16x16 of an act entitled "An act to establish a standard of weights and measures in the State of California; to regulate weights and measures and weighing and measuring instruments and devices and providing for the inspection and sealing thereof; to prevent the use and sale of false weights and measures and weighing and measuring instruments and devices; providing for the inspection, measurement and weighing of goods, commodities, wares, packages and amounts of commodities kept for sale or in process of delivery; to prevent the sale of goods, wares and merchandise by false weights and measures; to provide penalties for the violation of the provisions of this act; for the admission in evidence of copies of the State's standard of weights and measures; providing for the appointment of officers to enforce and carry into effect the provisions of this act, including a State Superintendent of Weights and Measures and his deputy, sealers of weights and measures and their deputies; defining the powers and duties of such officers; and making an appropriation to carry this act into effect," approved June 16, 1913, Statutes 1913, page 1086.

Bill read first time, and referred to Committee on County Government.

By Senator Schottky: Senate Bill No. 670—An act to amend section 35 of chapter 865, Statutes of 1927, entitled the California Fruit.

Nut and Vegetable Standardization Act of 1927, approved June 2, 1927, as amended, relating to standards for sweet potatoes.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Cleveland: Senate Bill No. 671—An act to amend section 2 of chapter 12, Statutes of 1911, entitled "An act providing for the management of the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park," relating to compensation of wardens.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Nelson: Senate Bill No. 672—An act providing suspension of the certificates of authority of insurance companies whose officers refuse to answer questions propounded at the taking of depositions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Nelson: Senate Bill No. 673—An act to enable the Electro Metals Company, a trust organization, or its trustees or officers, to sue the State of California.

Bill read first time, and referred to Committee on Judiciary.

By Senator Nelson: Senate Bill No. 674—An act making appropriation to pay the claim of the Electro Metals Company against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 675—An act to amend the title and sections 2, 4, 5, 6, 9, 10, 12, 13, 13a and 14 of chapter 266, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," and to add thereto a new section, to be numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Breed: Senate Bill No. 676—An act to amend "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 26, 1927, as amended.

Bill read first time, and referred to Committee on Revenue and Taxation.

By Senator Breed: Senate Bill No. 677—An act making an appropriation to pay the claim of B. F. Schlessinger against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Evans: Senate Bill No. 678—An act to provide for the regulation of private carriers for hire upon the highways of this State outside of incorporated cities and counties, cities and towns; to require the licensing of such carriers by the Department of Motor Vehicles and granting the Department of Motor Vehicles the right to prescribe the terms and conditions for the granting of such license.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Evans: Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof, and to repeal the California Meat Inspection Law approved June 3, 1921.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Moran: Senate Bill No. 680—An act to amend sections 204, 204b, 204d and 210 of the Code of Civil Procedure, relating to county grand jurors.

Bill read first time, and referred to Committee on Judiciary.

By Senator Deuel: Senate Bill No. 681—An act to promote the development of the California ripe olive industry and to prevent deception in the packing and sale of canned ripe olives by establishing and defining certain standards for canned ripe olives, defining the powers and duties of the Director of the Department of Agriculture in relation hereto, including the collection of fees, creating a board of appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provisions hereof.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Deuel: Senate Bill No. 682—An act to amend section 374b of the Penal Code and to add a new section thereto, to be numbered section 375, relating to the deposit of nauseous, offensive or injurious substances in places of public assemblage or the manufacture thereof with the intent so to deposit.

Bill read first time, and referred to Committee on Public Health and Quarantine.

By Senator Crittenden: Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crittenden: Senate Bill No. 684—An act to add a new section to the Penal Code to be numbered 537b $\frac{1}{2}$, relating to the defrauding of owners of automobiles.

Bill read first time, and referred to Committee on Judiciary.

By Senator Crittenden: Senate Bill No. 685—An act authorizing the Department of Finance to sell all of the right, title and interest of the State of California in and to certain real property situate in the county of San Joaquin, State of California.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crittenden: Senate Bill No. 686—An act to amend section 94 of chapter 189, Statutes of 1897, entitled "The California Irrigation District Act," approved March 31, 1897.

Bill read first time, and referred to Committee on Irrigation.

By Senator Crittenden: Senate Bill No. 687—An act to amend sections 39a, 40, 41, and 42 of chapter 189, Statutes of 1897, entitled "The California Irrigation District Act," approved March 31, 1897.

Bill read first time, and referred to Committee on Irrigation.

By Senator Crittenden: Senate Bill No. 688—An act to amend section 14 of an act entitled "An act to promote drainage," approved March 18, 1885, relating to drainage.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Crittenden: Senate Bill No. 689—An act to amend sections 3463, 3464, 3465 and 3466 of the Political Code, relating to reclamation districts.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Young: Senate Bill No. 690—An act to repeal chapter 413, Statutes of 1915, entitled "An act to regulate the issuance and sale of licenses for resale to hunters and anglers," approved May 20, 1915, as amended.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Young: Senate Bill No. 691—An act to amend chapter 379, Statutes of 1915, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith."

Bill read first time, and referred to Committee on Fish and Game.

By Senator Young: Senate Bill No. 692—An act to amend sections 2, 5, 6, and 8 of chapter 795, Statutes of 1927, entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved

May 27, 1927, relating to the issuing of, accounting for, compensation for issuing, duration of, and mode of applying for hunting and fishing licenses and the definition of game fishes.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Schottky: Senate Bill No. 693—An act to add a new section to the Code of Civil Procedure, to be numbered 66*b*, relating to the number of judges of the superior court in the county of Merced.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Schottky: Senate Bill No. 694—An act making an appropriation to pay the claim of Fanny Lem against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Schottky (by request): Senate Bill No. 695—An act making an appropriation to pay the claim of Grace Takata against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Schottky (by request): Senate Bill No. 696—An act making an appropriation to pay the claim of Shizue Morey against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Schottky (by request): Senate Bill No. 697—An act making an appropriation to pay the claim of Clara Char against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Edwards: Senate Bill No. 698—An act to amend sections 3644 and 3646 of the Political Code, relating to taxation of boats and vessels.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Schottky: Senate Bill No. 699—An act regulating the boring or drilling of wells for water.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Schottky: Senate Bill No. 700—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts.

Bill read first time, and referred to Committee on Reapportionment.

By Senator Breed: Senate Bill No. 701—An act to amend section 6 of chapter 532, Statutes 1917, as amended, chapter 447, Statutes 1925, entitled "An act for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a Corporation Department and the office of Commissioner of Corporations."

Bill read first time, and referred to Committee on Judiciary.

By Senator Breed: Senate Bill No. 702—An act to repeal an act entitled "An act to define investment companies, investment brokers and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tubbs: Senate Bill No. 703—An act to add section 623½ to the Political Code, relating to security for unearned premiums by insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Senator Tubbs: Senate Bill No. 704—An act to amend section 1208 of the Code of Civil Procedure, relating to liens upon animals.

Bill read first time, and referred to Committee on Judiciary.

By Senator Tubbs (by request): Senate Bill No. 705—An act making an appropriation to pay the claim of Robert B. McClellan against the State of California.

Bill read first time, and referred to Committee on Finance.

By Senator Cleveland: Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing conveying, or making available, of public lands in certain instances to memorial districts for such purposes.

Bill read first time, and referred to Committee on Military Affairs.

By Senators Nelson, Maloney, Swing, Harper, Young, Slater, Bush, Cleveland, Fellom, Christian, Wagy, Riley, Evans, Williams, Cassidy, Mixter, Duval, Breed, Sharkey, Inman, Crittenden, Moran, McKinley, Edwards, Ingels, Deuel, Allen, Carter, Tubbs, Hays, Schottky, Pedrotti, and Rich: Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 23a of article IV of the constitution of said State, relating to officers, employees and attaches.

Referred to Committee on Constitutional Amendments.

By Senator Crittenden: Senate Bill No. 707—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article IIp embracing sections 378t to 378x, relating to a Department of Mines.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crittenden: Senate Bill No. 708—An act to add a new section to be numbered 9a8 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts

in conflict with this act,' ' approved February 25, 1911, as amended, relating to libraries in counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Crittenden: Senate Bill No. 709—An act to amend section 4237 of the Political Code, relating to compensation of county and township officers in counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Crittenden: Senate Bill No. 710— An act to amend section 16x8 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Crittenden: Senate Bill No. 711—An act to amend section 2322x8 of the Political Code, relating to the office of agricultural commissioner in counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Crittenden: Senate Bill No. 712—An act to add section 19x8 to the Juvenile Court Law, relating to probation officers in counties of the eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Crittenden: Senate Bill No. 713—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article IIg embracing sections 379m to 379p, relating to a Department of Child Welfare.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Crittenden: Senate Bill No. 714—An act to add a new article to chapter 3 of title I of part III of the Political Code, to be numbered article IIg embracing sections 379 to 379c, relating to a Department of Oil.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Allen: Senate Bill No. 715—An act to amend section 7 of chapter 643, Statutes of 1917 entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 15, 1915," approved May 28, 1917, as amended by chapter 690, Statutes of 1929, relating to the boundaries of fish and game district one "B."

Bill read first time, and referred to Committee on Fish and Game.

By Senator Allen: Senate Bill No. 716—An act to add section 1a to chapter 517, Statutes of 1917, entitled "An act to provide for the protection of fur-bearing mammals, providing for a license for hunting or trapping such fur-bearing mammals and requiring reports to be filed with the Fish and Game Commission," relating to the protection of bear.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Allen: Senate Bill No. 717—An act to add section 19x54 to the Juvenile Court Law, relating to probation officers in counties of the fifty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 718—An act to amend section 2322x54 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 719—An act to amend section 16x54 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 720—An act to amend section 4283 of the Political Code, relating to compensation of county and township officers in counties of the fifty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 721—An act to add a new section to be numbered 9a54 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 722—An act to amend section 4262 of the Political Code, relating to compensation of county and township officers in counties of the thirty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 723—An act to amend section 16x33 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 724—An act to amend section 2322x33 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 725—An act to amend section 9a33 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to librarians in counties of the thirty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Allen: Senate Bill No. 726—An act to amend section 19x33 of the Juvenile Court Law, relating to probation officers in counties of the thirty-third class.

Bill read first time, and referred to Committee on County Government.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER NINE.

Senator Breed asked for, and was granted, unanimous consent for the consideration of Assembly Concurrent Resolution No. 9, for purpose of adoption.

ASSEMBLY CONCURRENT RESOLUTION No. 9.

Providing for the creation of a joint committee of the Senate and Assembly to meet with delegates of other states at a conference to be held in Portland, Oregon, on Saturday, February 7, 1931, for the purpose of adopting uniform provisions in the vehicle acts of the states of Washington, Oregon, California, Nevada and Arizona.

WHEREAS, A conference was held in San Francisco in December to endeavor to work out uniform provisions in the vehicle acts in the states of Washington, Oregon, California, Nevada, and Arizona and to provide for better reciprocal relations between those states; and

WHEREAS, This conference accomplished a great deal of good in that a common basis was found for practically all provisions not now in uniformity; and

WHEREAS, It was decided to form a permanent organization and to hold a subsequent meeting in an endeavor to have the provisions agreed upon enacted into law where necessary; and

WHEREAS, It has been decided that such subsequent meeting will be held at 9.30 a.m., in the Multnomah Hotel, Portland, Oregon, on Saturday, February 7, 1931; and

WHEREAS, It is desirable that a committee be provided to represent the Legislature and the State of California to meet with the representatives of said states of Washington, Oregon, Nevada and Arizona; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring. That there is hereby created a joint committee of the Assembly and Senate to consist of two members of the Assembly, to be appointed by the Speaker of the Assembly, and two members of the Senate to be appointed by the President of the Senate.

It will be the duty of said committee to meet with the delegates of the states of Washington, Oregon, Nevada and Arizona, at 9.30 a.m., in the Multnomah Hotel, Portland, Oregon, on Saturday, February 7, 1931, to carry out the purposes of this conference.

The members of said committee shall receive no compensation for such services other than their official salaries, but shall be reimbursed for their actual expenses necessarily incurred hereunder not exceeding the sum hereinafter specified. Such committee is hereby authorized to employ competent clerical or other help to assist in the preparation and compiling of all data ascertained, including the making of a final report.

The expense of such clerical and other help, or necessary expenses of the committee, shall be passed upon and fixed by the committee, subject, however, that the total of said expenses and costs shall not exceed the sum hereinafter specified.

The expenses thus incurred by said committee under the authority hereof, shall be payable out of the moneys heretofore or hereafter appropriated for the contingent expenses for the Senate and Assembly at this session of the Legislature, payable one-half from the contingent fund of the Senate and one-half from the contingent fund of the Assembly, but not exceeding the sum of six hundred dollars (\$600) in all, which sum, or so much thereof as may be necessary, so composed, is hereby set apart, reserved and appropriated out of said respective contingent funds for the purposes aforesaid to be disbursed from time to time by Controller's authorities, to be drawn against said contingent funds upon the written orders of the chairman of said joint committee; and be it further

Resolved, That the said committee be instructed to prepare its report not later than the first day of March, A.D. 1931, and that a copy of said report be, not later than said date, transmitted to the Governor of the State.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 9 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Assembly Concurrent Resolution No. 9 ordered transmitted to the Assembly.

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with the provisions of Assembly Concurrent Resolution No. 9, providing for the creation of a joint committee to meet with delegates of other states at a conference to be held in Portland February 7, 1931, for the purpose of adopting uniform provisions in the vehicle acts of the states of Washington, Oregon, California, Nevada and Arizona, the President announced the appointment of Senator Baker.

REPORTS OF STANDING COMMITTEES—(RESUMED)

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, January 23, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Concurrent Resolution No. 7—Relative to the charter of the city of San Buenaventura, State of California, voted for and ratified by the qualified voters of said city of San Buenaventura, upon a general election held therein on the fourth day of November, 1930, has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; noes—1; absent—3.

HARPER. Chairman.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER SEVEN.

Senator Duval asked for, and was granted, unanimous consent for the consideration of Assembly Concurrent Resolution No. 7, for purpose of adoption.

Assembly Concurrent Resolution No. 7—Relative to the charter of the city of San Buenaventura, State of California, voted for and ratified by the qualified voters of said city of San Buenaventura, upon a general election held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Hays, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—27.

NOES—None.

Assembly Concurrent Resolution No. 7 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senators Baker and Cleveland: Senate Bill No. 727—An act to amend section 117 of the Political Code, relating to the division of the State into congressional districts and defining and establishing such districts.

Bill read first time, and referred to Committee on Reapportionment.

By Senator Cassidy: Senate Bill No. 728—An act to add a new section to the Political Code, to be numbered 440, relating to the issuance of warrants and the duties and obligations of the Controller and other persons in relation thereto.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Allen: Senate Bill No. 729—An act to amend section 24 of chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, relating to references to the State Water Commission, as referee.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Carter: Senate Bill No. 730—An act to regulate the examination of applicants for license and the practice of those licensed to treat diseases or other physical or mental conditions of human beings by Christian healing and imposition of hands; to establish a Board of Examiners, to provide for their expenditures and prescribe their powers and duties.

Bill read first time, and referred to Committee on Public Health and Quarantine.

RESOLUTIONS.

The following resolutions were offered:

By Committee on Contingent Expenses:

Resolved, That there is hereby appropriated out of the contingent fund of the Senate two hundred dollars (\$200), or so much thereof as may be needed, for the purpose of purchasing boxes, packing, mailing and expressing all papers and documents belonging to Senators to their places of residence. Immediately after the adjournment for the constitutional recess, the Sergeant-at-Arms of the Senate shall cause this work to be done and shall file with the Controller of the State vouchers covering the different items of expense, whereupon the Controller shall draw his warrant or warrants in favor of the Sergeant-at-Arms of the Senate for the amount necessarily expended, and the Treasurer is directed to pay the same.

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Wagy—24.

NOES—None.

Also:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the contingent fund of the Senate in the sum of six hundred fifty dollars (\$650) in favor of the Secretary of the Senate, and the Treasurer is hereby directed to pay the same, the same being for postage for the Senate.

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixter, Moran, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Wagy—25.

NOES—None.

Also:

Resolved, That the Secretary of the Senate be and he is hereby ordered and directed to procure, during the constitutional recess, for the use of the members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of State officers, members and officers of both houses of the Legislature, lists of committees and rules of both houses and joint rules, together with indexes to the same; also to procure for the use of members of the Legislature a Semifinal Calendar containing a history of all bills introduced to date, together with a complete index and cross-index to the same, to be printed and distributed during the constitutional recess, and the Controller is hereby ordered and directed to draw his warrant on the contingent fund of the Senate in favor of the Secretary of the Senate in the sum of seven hundred fifty dollars (\$750) to pay for such services, and the Treasurer is hereby ordered and directed to pay the same. The Secretary of the Senate is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of this resolution.

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Bush, Carter, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—26.

NOES—None.

Also:

Resolved, That the Controller be, and he is hereby directed, to draw his warrant in favor of the Secretary of the Senate for the sum of three thousand eighty-three dollars and one cent (\$3,083.01) to pay the following bills:

Bancroft-Whitney Company (codes and constitutions)-----	\$1,782 00
Union Florist (Senator Handy's funeral)-----	53 00
State Supply Department (stationary and supplies)-----	905 21
Hammond Typewriter Company-----	80 00
Moise-Klinkner Company (badges)-----	15 60
H. S. Crocker Company-----	112 11
Mebius & Drescher (matches)-----	6 00
Lawrence Transfer Company (drayage)-----	3 21
State Department of Finance (pro rata Capitol telephone service)-----	7 34

Sacramento Tent and Awning Company (carpet repair Senate Chamber)-----	\$31 60
Capitol City Planing Mill (material for shelving)-----	23 28
Leslie Turple (carpenter service, Senate committee rooms)---	13 50
Pacific Telegraph & Telephone Company-----	45 35
Western Union-----	1 20
American Railway Express-----	3 61

Total----- \$3,083 01

The same to be payable out of the contingent fund of the Senate, and the Treasurer is hereby directed to pay the same.

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Young—28.

NOES—None.

REPORT OF SPECIAL COMMITTEE.

The following report of the special committee, appointed by the President of the Senate for the purpose of considering the contest of election of Charles F. Preciado vs. Andrew R. Schottky presented the following report:

REPORT OF SPECIAL COMMITTEE APPOINTED FOR THE PURPOSE OF CONSIDERING THE CONTEST OF CHARLES F. PRECIADO, CONTESTANT, AND ANDREW R. SCHOTTKY, CONTESTEE.

To the Senate of the State of California.

The special committee appointed, pursuant to resolution of the Senate adopted January 8, 1931, to hear the contest in the Twenty-fourth Senatorial District, submit the following report:

The committee met on January 12, 1931, to organize, and voted to request the Senate to pass a resolution authorizing them to proceed, which resolution was passed on the thirteenth day of January, 1931. The committee again met on January 15, 1931, after having notified the respective parties to the contest of the time of meeting. At this meeting, the contestant was represented by his attorney, Stephen Galvin, and the contestee was represented by his attorney, Hugh K. Lamdrun, and after hearing the statements of the respective parties and reading the depositions which had theretofore been transmitted to the President of the Senate through the Secretary of State, granted, at the request of the attorney for the contestant, further time in which to produce additional evidence in support of the contest. The committee adjourned until January 22, at one o'clock and thirty minutes p.m., at which time the parties appeared in person and by counsel and evidence was introduced on behalf of both the contestant and contestee, after the conclusion of which a statement was made by Mr. E. G. Adams of Livingston, and argument made by respective counsel, the matter was submitted.

The committee, after hearing and considering the evidence, arguments and statements, finds that the evidence is insufficient to sustain the charges as set out in the statement of contest and there is not sufficient evidence to justify a recount of the votes cast in the said senatorial district, and that said contest be dismissed; and

The committee further finds that Andrew R. Schottky was duly elected at the general election held on November 4, 1930, as State Senator in the Twenty-fourth Senatorial District and recommends that costs and expenses be allowed as shown in the annexed statement.

HAYS, Chairman.
McCORMACK.
RICH.
ALLEN.
CARTER.

STATEMENT OF EXPENSES.

Witness fees and expenses:

Mrs. Thornburg, North Fork, California----- \$29 40
Leslie B. Smith, North Fork, California----- 29 40

31—85752

G. L. Smith, North Fork, California.....	\$29 40
J. H. McDonough, Livingston, Merced Co.....	13 10
J. W. Hall, Livingston, Merced Co.....	13 10
Welton Rhodes, Sheriff, Madera Co.; serving subpoena.....	12 50
Ray W. Hays:	
Paid for subpoena by telegram.....	5 90
Notifying counsel by telephone.....	1 85
Total	\$134 65

Report read.

The question being on the adoption of the report.

The roll was called, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Sharkey, Slater, Wag, and Young—23.

NOES—None.

QUESTION OF PERSONAL PRIVILEGE.

Senator Carter, arising to a question of personal privilege, and on admission of Senator Tubbs that he was the author of the statement published in the Sausalito News of date of January 23, 1931, as follows:

"T. T. TALKS

Corporate Interests Rule.

Labor Gets Slighted.

Two Votes Against Vets.

Dr. Briggs on the Job.

Swing Makes Good Whip.

½ Avocado 90c—Poor Ad.

By State Senator TALLANT TUBBS. (Written especially for the Sausalito News.)

The Senate and Assembly committees, as appointed by Lieutenant Governor Merriam and Speaker Levey, show beyond a doubt that the corporate interests are in a better position so far as the Legislature is concerned than at any time since Governor Hiram Johnson forced the Southern Pacific out of politics.

In the Senate, Henry Carter of Los Angeles is chairman of the important Public Utilities Committee; Carter is a reactionary and for years has listened to the whisperings of the corporations. A glance at the personnel of this committee shows that Labor and The People will not fare well in any matters heard by the committee.

Lieutenant Governor Merriam is closer to the capitalistic leaders of Los Angeles than he is to any other leaders, except those from Iowa clubs, and he has indeed paid off through the selection of the Senate committees whatever campaign obligations he was under to Mr. Harry Chandler of the Los Angeles Times."

made the following statement:

"In this statement that I am a reactionary I have no quarrel with the author of this article. My public record for 20 years in this Legislature is an answer for my public acts, and for which I make no apology to him nor to the people of California, but a State Senator who will publicly broadcast a statement of this character concerning his associates and the officer presiding over this body, the Lieutenant Governor of the State, who was so recently elected by a tremendous majority of the people, is not deserving of recognition or entitled to association with the decent members of this Senate. He is not only not deserving of recognition, but should be ostracized from all association with his associates. 'It is a dirty bird that befouls its own nest.'

In my opinion, decency requires that Senator Tubbs owes an apology to the President, and to the members of this Senate."

MOTION TO APPOINT COMMITTEE OF ESCORT.

Senator Maloney moved, seconded by Senator Breed, that the President appoint a Committee of Escort to escort Governor James Rolph, Jr., to the Senate chamber.

Motion unanimously carried.

APPOINTMENT OF COMMITTEE OF ESCORT.

In accordance with Senator Maloney's motion, the President announced the appointment of Senators Maloney, Evans and Ingels, to escort Governor James Rolph, Jr., to the Senate Chamber.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY-NINE.

Senator Waggy asked for, and was granted, unanimous consent for the consideration of Senate Bill No. 489.

RESOLUTION.

The following resolution was offered:

By Senator Waggy:

Resolved, That Senate Bill No. 489 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Breed moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators—Allen, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Fellom, Harper, Hays, Inman, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Sharkey, Slater, Swing, Tubbs, Waggy, and Young—26.

The Secretary announced the absentees.

Time, eleven o'clock and ten minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirteen minutes a.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Breed.

The Secretary was directed to call the roll on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—30.

NOES—Senator Cleveland—1.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Senate Bill No. 489.

REPORT OF COMMITTEE OF ESCORT.

The Senate Committee of Escort appeared at the bar of the Senate in company with His Excellency James Rolph, Jr., Governor.

At the invitation of Lieutenant Governor Frank F. Merriam, the Governor was escorted to the platform by Senators Maloney, Evans and Ingels, Senate Committee of Escort.

RECESS.

On motion of Senator Breed, at eleven o'clock and fifteen minutes a.m., the President of the Senate declared the Senate at recess to hear Governor James Rolph, Jr.

INTRODUCTION OF GOVERNOR JAMES ROLPH, JR.

Governor James Rolph, Jr., was then presented to the Senate by Hon. Frank F. Merriam, Lieutenant Governor.

ADDRESS BY GOVERNOR JAMES ROLPH, JR.

Governor James Rolph, Jr., proceeded to address the Senate as follows:

Mr. Lieutenant Governor, Gentlemen of the Senate, and my fellow Californians here present.

I thank you, Mr. Lieutenant Governor, for the friendly manner in which you have just presented me to the members of the Senate, and I thank you, gentlemen of the Senate, for the warmth of this reception which you have given to me.

I have come this morning to pay my respects to you before you recess this afternoon and leave the State Capitol. Most of you have done me the honor of calling upon me in the Governor's chambers during the past eighteen days that you have been domiciled here in Sacramento. It has been a great pleasure to me to have met you, to have discussed problems with you, and to have become better acquainted with you, because after all we are the personal representatives of the people. We are here to do official business, and we are here to promote harmony, and we are here to do things for the people of our State.

I have come to return the compliments which you have paid to me. I have come to show by my presence that I am striving to work with you. I have come to show you that I want to work with you. The fact of my returning your calls to me and my knowledge that you have been in legislative activity here shows that I am interested and have kept a keen eye on all that you are doing here. I am endeavoring to cooperate with you to the fullest extent.

Here under our representative form of government are the representatives of the people. Here are men, not territories. Here are men who represent their constituents in every part of our great State.

It is not the purpose of the Governor to interfere with the problems which you have been elected to carry into effect. It is not the purpose of the Governor to interfere with the formation of your committees, or to interfere with your work; but at all time it is the highest aim of the Chief Executive to work with you.

You come from the cities and the villages, and the hamlets, and the farms, and every part of our great State. You bring here the thoughts which are foremost in the minds of the people; you bring here the ideas of laws you want, and above all you have been elected to represent the whole State of California.

You have noticed that I have not endeavored in any way, shape or form to interfere, or to show, as has been done in other states and elsewhere, that the Governor's hand is shown in the activities of the Senate or the Assembly.

I have had no experience as the chief executive of a State, but the principles which I have followed in the handling of a great city will stand me in good stead, and will give me knowledge of how to work with the Legislature and how to show my proper respects for the members of the Legislature. Therefore you have seen no politics in this administration. You have seen a Governor whose principle is to work with you, to cooperate with you for the purpose to which I have been elected.

I think it might be well to express my idea of the work which has been done during the past eighteen days. Owing to the vastness of the crowds which came to the inaugural, the first held in thirty years, an event which thrilled the great State, which brought into being and into the very thoughts of the people from every part of our State, that we had a State Capitol, that we had a great dome upon this building, built in 1869, the year in which I was born. It brought focus on the fact that their senators and representatives travel from every part of the State, and men came to see this great building in which you are domiciled.

The people saw the life of California; they saw the pioneers and the oxen; they saw the real life portrayed here; they saw a fine community; they saw the hospitality from this community here in Sacramento. And we must not forget the kind work of the Inaugural Committee in welcoming the coming of the new Governor, the welcome that came from all the people of California. It did not cost

the taxpayers a cent. It was the free and voluntary giving of the people of this wonderful California city, and it was an event which brought us closer together, an event which will long linger in our minds.

So before bidding you a recess, a refreshing recess, and a welcome back within thirty days' time, I have jotted down just a few ideas that I would like to bring to your minds as you leave and for you to give some serious thought to while away.

I have tried to bring to you in my inaugural address many problems requiring attention and you have acted promptly. You have brought to this Legislature the good will of the communities of the State. No politics have been encouraged. The Governor and the upper house have worked in harmony and unity. You have enacted into laws the wishes and the demands of the people by reassuring them through the passage of desirable bills.

You have passed emergency bills to the total of \$5,160,000 to eliminate crowding in the institutions and in the State schools, and to assist in relieving unemployment. Deficiency bills to complete projects under way totaling approximately \$1,025,000 have been passed. You have expedited legislation. The biennial budget was presented to you earlier than ever before in the history of the State. Every single item in my inaugural address for proposed legislation has been taken care of by the introduction of bills or by administrative action.

We have been working in harmony with the Legislative Tax Committee. Bills to correct the administrative defects of the gas tax and the corporation franchise tax and to make adjustments of the tax on companies producing oil and gas have been proposed.

The emergency bills and the deficiency appropriations together with the recommended budget appropriations will call for an expenditure of approximately \$9,400,000 out of the \$30,000,000 surplus. You have started the buildings provided for in the emergency appropriation and they are on their way to relieve the unemployed. Architects are being engaged from the districts where the buildings are to be erected at the regular fee of the American Institute of Architecture. The State Architect is unable to cope with the situation; we want the work started immediately where you, by emergency measures, have decided that the work should be carried on, and unemployment taken care of in all parts of California.

There are a number of bills for the improvement of our tax system. It is not the policy of the administration to make any radical changes in our tax system or levy new taxes. A bill to create a permanent fact-finding Tax Research Bureau has been introduced. This is a body we have never had before.

A series of bills has been introduced providing that officers, boards and commissions now appointed by the Governor for specific terms, and heretofore not subject to the direct control of the Governor, have been introduced. This is for the purpose of making the tenure of these offices at the pleasure of the Governor, so that he may be able to carry into effect his policies and be responsible for them. The final bills for this purpose will be introduced today. They are not for the purpose of disturbing or upsetting any properly functioning office or department, but they are for the purpose of providing an opportunity to consider these matters specifically and to take the action which seems to be desirable.

In other words, these bills will be before you for consideration and debate during this recess for determining how these matters should be handled. When you return in thirty days we can discuss what is best to be done.

One bill provides that the chief of the Division of Oil and Gas shall be appointed by, and hold office at the pleasure of the Governor. The chief of this division shall be a man experienced in this industry. The present law does not provide specifically for an experienced and qualified man to administer this great industry, an industry of a value of \$321,000,000 at the well. This division is now under the supervision of the Director of Natural Resources. It is difficult to find a Director of Natural Resources that knows oil and gas, fish and game, forestry and Mining, and other natural resources. It is difficult to get hold of a good man for the chief of this division because he will not take a second place.

With 25 men representing the oil industry in Washington endeavoring to bring before Congress that there should be a tariff upon the import of oils into the United States, so California oils, and other oils in the United States, can have an opportunity to compete with oils from Mesopotamia, from Siberia, from Egypt and from other places where oil is being produced with low wages. We should have a chief of this division as an expert there with them.

And I am one for having a tariff that will keep outside goods from the United States if they can be produced at home. It is the policy of the Republican party to take care of the manufacturers of goods of the United States. Foreign oil is coming in here in competition with American oils.

The oil industry of California has sent these 25 men to Washington and I gave them credentials representing the State of California. This is as far as I could go with their problem.

The chief of the Division of Oil and Gas should be a man who knows something about oil. He should be familiar with the problems of the larger oil companies and the independent companies. He should be a man who comes from the oil industry of our State.

The same condition exists with mines. There should be a mining man appointed who would have charge of the Division of Mines, not appointed by the Director of Natural Resources—an appointee of the Governor—but a mining man himself, appointed by the Governor.

You are all aware that the mining industry of our State has been neglected; it has languished. The cost of producing gold does not give the miner a decent or a living wage. The price of gold is fixed at \$20.67 a fine ounce. It has not changed. This is a situation which every Governor in the past and every President of the United States has always brought out in his inaugural address. Bills have been prepared to give relief to the industry. We have been instrumental in sending mining men to Washington, but we should have a mining man in charge of the Division of Mines and he should be responsible to the Governor.

What has the Fish and Game Commission, or the catching of fish, to do with the important problem of oil, or the important problem of the mining industry? Therefore I have respectfully suggested that something be done to take out of the Department of Natural Resources the question of oil and gas and the question of mining.

We need an urgency bill to provide funds to finish the State Building in Los Angeles. There is a shortage there of nearly \$200,000 from the previous administration, brought about by the changing of the plans. This emergency measure will be before you today. We want to go ahead and finish up this building which is on its way. I was there looking at it on Tuesday of this week, and we should stop at nothing to go ahead with this building problem which you have worked so unitedly to send on its way.

In my inaugural message I made many suggestions to you and bills have been introduced here that will take care of, and open up the way for a discussion of, these matters when you reconvene here thirty days hence.

I have here before me a measure which really requires your serious thought. The foremost thought among our people—the problem of unemployment. Men and women are starving. We know that by the fact that the President of the United States has called for a contribution of \$10,000,000 for the starving people. Cities of California have been assessed according to Red Cross calculations to help out this emergency of the people throughout the United States. I think that Congress should make this appropriation. If Congress could expend \$253,000,000 in the experimentation of building wooden ships during the war and then get less than \$2,000,000 for them, surely the saving of human lives throughout the United States calls for a similar response.

The drop in the stock market cost \$35,000,000,000 according to the best calculations from the Carnegie Institute and from other statistics. The drop in other commodities cost \$10,000,000,000, or a total of \$45,000,000,000 from October, 1929, to December, 1930.

Surely we are going to overcome these difficulties of ours, because we overcame the war; and surely we will emerge from this crisis before long, and I hope soon. We are going to have a great period of prosperity. The profits of the railroads are increasing. You can read every day that more goods are being shipped. Captain Dollar told me the other day that his ships that six months ago were going out half full are now going out full from the piers of San Francisco. And the same thing applies to Los Angeles.

We must have faith, we must have hope, but you can't overtax the people—you can't make appeals for more taxes from the people. I know one city that appealed for \$125,000, and thus far only \$10,000 has been contributed. Congress ought to make an appropriation of \$10,000,000 and thus tide us over the situation caused by the drought and the economic depression, and the pleas of the hungry and the pleas of the needy.

You are meeting the emergency with building, building, building, and we are going ahead providing relief for the unemployed. Here is a communication from Mr. F. W. Wood of the Legislative Counsel Bureau, a plea by the Archbishop Hanna, chairman of the Commission on Immigration and Housing asking for aid for the unemployed. (Reads letters from Wood and Archbishop Hanna.)

Here is a message presented to me from the State Unemployment Committee. (Reads message from O. K. Cushing, northern division; Harry J. Bauer, southern division; and Will J. French, general chairman.)

Mr. Lieutenant Governor, I have brought with me this proposed bill for introduction which I wish to leave with you with the recommendation that it comes from the Governor. If we can appoint a fact-finding body for taxes, why can not we also appoint a fact-finding body for unemployment, to find out what is wrong and the causes of unemployment. The rapidity with which you have taken up this great problem, a problem that comes upon us once in a decade, or once in a quarter of a century. This suggested plan comes from men who work for no compensation—men like Archbishop Hanna, men like Louis G. Block, men like the Jewish rabbi, who are well thinking men, who give their lives and their time and attention to help us solve these problems.

When I said there was a loss of \$45,000,000,000 in this economic depression I said nothing about the taking of men's and women's lives, and I said nothing about the distress and poverty that has come from the mortgaging of homes, the schooling that has been taken away from children.

The relief suggested here is the manifestation of right thinking men elected to handle these problems; to do it quickly is far better than to linger over it. These are fine men that are at the head of this unemployment commission.

I do not want to detain you longer. I am happy, of course, and the proudest man to be the Governor of this great State of California. I may make mistakes, but I am trying to do the best I can. I am here to thank you again for the calls you paid, and I hope you will come often to call upon the Governor—the doors are always open. You will always find the Governor ready with a willing hand. I want to make a record of working with the Legislature, the bodies elected by the people. I am not a politician, but a builder. The man who is a success is the man who does things and gets things done, and the man who builds. I will make the dome of this great State Capitol just as famous throughout the United States as I have tried to make the dome of my native city of San Francisco.

Mr. Lieutenant Governor, it has been a very great pleasure to have had the opportunity of working with you. I admire your way, I like the way you do things, and I am always happy and pleased when you and Mrs. Merriam call, and the kindly cooperation you have shown me.

I wish you all a very happy, refreshing recess. I know they come from Alpine and El Centro and Alturas to say that this is the finest Senate that the State of California ever had.

Mr. Lieutenant Governor and members of the Senate, I forgot something, and if I may be pardoned for addressing you the second time—I have been invited to open the first Midwinter Imperial Valley County Fair at El Centro. I understand the governor of Lower California, the governor of Nevada and Governor Hunt of Arizona have been invited to attend. If I go, and they are there, I feel that I should return those calls. If Governor Hunt does not come there and the time permits I would like to go to Arizona and see if it is not possible that he and I come to some understanding about the Boulder Dam project. I feel that there should be cooperation between the governor of Arizona and the Governor of California. I, of course, wish to cooperate at all times with the Senate and the Assembly and I would like to have permission to leave the State, if the occasion arises. I may have to go to Mexicali, for the purpose of returning the call only. I make this explanation to you, Mr. Lieutenant Governor, for you might be the Governor of California for the brief time that I am absent.

RECONVENED.

At twelve o'clock and thirty minutes p.m., the Senate reconvened. Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

COMMUNICATION.

The following report was received, and on motion of Senator Fellom, ordered printed in the Journal:

REPORT OF STATE UNEMPLOYMENT COMMITTEE TO GOVERNOR JAMES ROLPH, JR.

DEAR GOVERNOR ROLPH: Unemployment is the most serious evil of the times. The service of the man or woman who works for wages is the most perishable thing that can be bought or sold. It can not be conserved, and, if not disposed of, is lost with every passing minute. Such loss is irreparable to the individual directly concerned and represents moreover corresponding waste and lasting harm to the community, where it produces a floating and discontented population, weakened family ties, deterioration of individual character, cheap and insanitary living places, slums, pauperization and crime. The worst of its results is that in a period of depression the first to suffer are those least able to protect themselves, who must earn today what they eat today and who if they can not work must perish.

The continued existence of this evil is a challenge to our civilization, and the utmost efforts of organized society should be immediately directed to its removal.

Temporary relief measures are necessary until remedies are found and applied, but though running into millions of dollars they are mere palliatives, and regardless of the amounts expended in such efforts the problem will continue to confront us. So from every view such measures are both costly and inefficient.

The State will fall far short of its duty if it does not initiate, without further delay, measures designed for the permanent solution of this oldest and worst of evils.

Unemployment has been classified as cyclical, seasonal, technological and chronic. Recurring periods of business depression with their incidental increase of unemployment; seasonal fluctuations in demand for labor; the constant and increasing displacement of the man by the machine and the residue of idleness that can not be attributed to any of these causes, all contribute to the problem. The facts regarding these causes, their respective effects and the proper methods of dealing

with them are not sufficiently known or understood to permit of the formulation of definite remedies. There is no reliable information as to the numbers of unemployed and the causes of unemployment; the extent to which unemployment could be diminished if industry were better coordinated; the extent to which seasonal unemployment might be alleviated by deferring until slack times work that could be advantageously postponed; the extent to which public work could be so timed as to relieve unemployment; the means of dealing with the problem of displacement of man by machine; in short, there is no definite information available upon any of the many points that must be considered if the problem is to be successfully attacked.

We do know, however, that effective remedies can be applied. Much has been accomplished by private employers in the regularization of employment in various ways, such as stimulating consumer and dealer during off seasons; scheduling production so that employment will be fairly evenly distributed; developing side line and filler products; and using a flexible working day rather than alternately hiring and laying off workers.

The State should be prepared to assist employers with information and expert advice in putting such measures and others into effect.

The importance of such work need not be stressed. Regularization is simply better distribution. It will reduce unemployment, minimize the need for relief work, steady production, increase sales and profits and stabilize business activity.

To obtain the necessary information will involve the study of the State industries and the extent and reasons for their employment fluctuations; the possibility of stabilization of employment within industries and between industries. It will require also the accumulation of reliable information concerning employment opportunities, types of unemployed, migratory labor, foreign labor and kindred subjects. The public employment offices should be strengthened and the whole subject of supervision and regulation of private employment agencies requires careful and detailed study.

It is obvious that there will remain much unemployment that can not be cured by regularization. The State must find means of relieving those who can not be placed in gainful employment through remedial measures. Some way must be found to provide for the wage earner, means to carry him over periods when through no fault of his he can not get work. Some private employers have established funds to meet such emergencies. This phase of the subject requires careful study.

It is clearly the duty of the State to foster and develop the interest and cooperation of its citizens in determining and maintaining adequate machinery to solve these problems.

The committee recommends the establishment of a nonsalaried commission to study the question of unemployment; to formulate measures for its solution; to inform the public and stimulate interest in the subject; that the commission be empowered to employ a staff of established experience, ability and reputation; and that not less than \$50,000 be appropriated to cover the expense. Also, that the necessary legislation be enacted immediately as an emergency measure.

STATE UNEMPLOYMENT COMMITTEE.

By A. CUSHING, Chairman Northern Group.
HARRY J. BAUER, Chairman Southern Group.
WILL J. FRENCH, General Chairman.

San Francisco, January 19, 1931.

SECOND READING OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY-NINE.

Senate Bill No. 489—An act to amend sections 4005c and 4006 of the Political Code, relating to the population and classification of counties and declaring same an urgency measure.

Bill read second time, considered engrossed, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 3. This act is hereby declared to be an emergency measure within the meaning of section 1, article IV of the constitution of the State of California, and shall take effect immediately. The facts constituting such emergency are as follows:

A great deal of legislation is now pending involving county and city and county government of certain classes, and the officers including the peace officers thereof, which legislation can not be properly presented and considered until the counties and cities and counties of the State have been reclassified. It is impossible at present to make any disposition of matters relating to a particular class because such class has not been ascertained.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 489 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bills Nos. 325 and 326, the same were taken up for consideration.

Senate Bill No. 325—An act to amend sections 8 and 14 of an act entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to taxes upon banks and corporations.

URGENCY CLAUSE.

SEC. 3. This act, inasmuch as it provides for tax levies for the usual current expenses of the State, shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Cleveland, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 325 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

By Senators Nelson, Breed, Deuel, McKinley and Jones: Senate Bill No. 326—An act to amend sections 5, 9, 24, 25, 26, 27 and 32 of chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions

of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations.

URGENCY CLAUSE.

SEC. 8. This act, inasmuch as it provides for tax levies for the usual current expenses of the State, shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote :

AYES—Senators Allen, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wag, and Williams—29.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 326 passed by the following vote :

AYES—Senators Allen, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wag, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER TWENTY-ONE.

Senator Fellom asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 21 for purpose of adoption.

SENATE CONCURRENT RESOLUTION No. 21.

Relative to the publication of a new edition of the constitution of the State of California, the constitution of the United States, and other documents for use in the public schools of the State.

WHEREAS, It has been customary for many years for the State to print and distribute, free of cost, to the students in the schools and to others copies of the constitutions of the State of California and of the United States, and other documents; and

WHEREAS, The course of study in the schools of the State requires a study of the constitutions; and

WHEREAS, The constitution of the State of California and the constitution of the United States and other historical documents are of great use in the teaching of civics in the public schools and in the teaching of Americanization; and

WHEREAS, It is to the benefit of the State of California that the constitution of the State and other similar documents be readily available to the students in public schools and colleges and for use in the teaching of Americanization; and

WHEREAS, The last edition of such constitutions and documents is now exhausted and there are numerous unfilled requests from the schools and others for copies of such constitutions and other documents; and

WHEREAS, It is customary for the Legislature to provide for such publication and to pay the cost of such publication from the contingent funds of the Senate and Assembly; therefore, be it

Resolved by the Senate, the Assembly concurring, That the Secretary of the Senate and the Chief Clerk of the Assembly be, and they are hereby directed to procure, and have published, in a revised form, an edition of the constitution of the State of California and the constitution of the United States and certain other constitutional documents for use in the schools and for distribution to the public; and, be it further

Resolved, That the Controller be and he is hereby directed to draw his warrants in favor of the Secretary of the Senate and the Chief Clerk of the Assembly in the sum

of \$2,000 upon the contingent fund of the Senate and \$2,000 upon the contingent fund of the Assembly for the purpose of carrying out the provisions of this resolution and the Treasurer is hereby directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 21 adopted by the following vote:

AYES—Senators Allen, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Williams—29.

NOES—None.

Senate Concurrent Resolution No. 21 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Evans: Senate Bill No. 731—An act defining cemetery and the various words and terms used in connection therewith, providing for the permanency of cemeteries by limiting their operation to corporations of unlimited existence, authorizing the operation of cemeteries for or without profit, prohibits crematories without provision for completing final interment of the cremated remains, provides for the acquisition of cemetery property, the dedication thereof to cemetery purposes, declares dedication supreme until removed by decree of court, exempts dedicated cemetery property from condemnation and from public improvement assessment, declares liens subject to dedication, provides for the sale of dedicated cemetery property for interment purposes, authorizes its sale subject to the conditions and restrictions imposed by owner, defines the property rights of plot owners and the alienable and inalienable character of burial plots, provides for joint ownership and joint ownership representation, authorizes the establishing and enforcing of rules and regulations for cemetery government, authorizes perpetual care and the establishment of irreducible perpetual care funds, provides how perpetual care shall be administered, provides how and in what securities perpetual care funds shall be invested, authorizes the sale through court proceedings of surplus road and other space in cemeteries without perpetual care for purpose of providing a perpetual care fund therefor, authorizes special care of cemetery property and the administration of funds contributed therefor, specifies upon whom the right to control the disposition of remains and the duty of interring devolves, authorizes the payment for burial plot and memorial out of estate, requires records to be made and kept of the final disposition of all remains and of all removals thereof, prohibits vandalism and prescribes punishment therefor, provides method for removal of dedication through court proceedings, confers police power upon sextons and superintendents, makes sales under misrepresentations a misdemeanor, recognizes and adopts by reference the Mausoleum Construction Act, exempts certain religious and public cemeteries from operation of act, defines scope of act, repeals the Rural Cemetery Corporation Act, adopted in 1859, and all acts amendatory and supplementary thereof, repeals sections 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 of the Civil Code, repeals sections 292, 294, 296 and 297 of the Penal Code, repeals all acts and parts of acts in conflict therewith, and declares the constitutionality of the act and all parts thereof.

Bill read first time, and referred to Committee on Judiciary.

By Senators Baker and Cleveland: Senate Bill No. 732—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 11 and 12 of chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the Registrar of Contractors and proceedings for revocation of licenses.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator McCormack: Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation district bonds now or hereafter issued or outstanding.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED FIFTY-NINE.

Senator Maloney asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 759.

RESOLUTION.

The following resolution was offered:

By Senator Maloney:

Resolved, That Assembly Bill No. 759 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wag, and Williams—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 759.

SECOND READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED FIFTY-NINE.

Assembly Bill No. 759—An act making an appropriation to meet a deficiency in the appropriation for the construction and completion, equipment and furnishing of an addition to the State Office Building at San Francisco, California, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill

The roll was called, and Assembly Bill No. 759 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED EIGHTY-TWO.

Senator Breed asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 782.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 782 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, and Williams—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 782.

SECOND READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED EIGHTY-TWO.

Assembly Bill No. 782—An act making an appropriation for major construction and equipment at the Veterans' Home of California, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1, article IV, of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State

to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Williams—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 782 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 758:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, January 19, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 758 makes an appropriation to pay the cost of the preparation and printing of a complete report upon the methods of financing and refinancing irrigation, reclamation, and other improvement districts in agricultural regions pursuant to the provisions of chapter 520, Statutes of 1929.

In my opinion the appropriation necessary for such expenditure during the remainder of the eighty-second fiscal year constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF ASSEMBLY BILL NUMBER SEVEN HUNDRED FIFTY-EIGHT.

Senator Breed asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 758.

RESOLUTION.

The following resolution was offered:

By Senator Breed:

Resolved, That Assembly Bill No. 758 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is

hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Sharkey, Slater, Tubbs, Waggy, and Williams—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 758.

SECOND READING OF ASSEMBLY BILL NUMBER SEVEN HUNDRED FIFTY-EIGHT.

Assembly Bill No. 758—An act making an appropriation to pay the cost of the preparation and printing of a complete report of data upon the methods of financing and refinancing irrigation, reclamation, and other improvement districts in agricultural regions secured pursuant to the provisions of chapter 520, Statutes of 1929, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 3. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Williams—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 758 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at one o'clock and ten minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator McCormack: Senate Bill No. 734—An act regulating the sale of grain in sacks, defining the term grain, providing that the sacks shall be sold and purchased as part of the same transaction.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator McCormack: Senate Bill No. 735—An act to amend sections 3, 7, 8, 10, 12 and 13 of chapter 802, Statutes of 1927, entitled the "California Terminal Weighing Act," approved May 27, 1927, and to add thereto new sections, to be numbered 12a and 14a, relating to the weighing of agricultural and other products.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator McCormack: Senate Bill No. 736—An act to amend section 19x19 of the Juvenile Court Law, relating to probation officers in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator McCormack: Senate Bill No. 737—An act to amend section 2322x19 of the Political Code, relating to the office of agricultural commissioner in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Senators Nelson, Breed, Jones, McKinley and Deuel: Senate Bill No. 738—An act creating a Tax Research Bureau in the office of the State Board of Equalization under the joint supervision of the Governor, Director of Finance and members of said Board, for investigation of matters relating to revenue, taxation and public finance and making an appropriation therefor.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator McCormack: Senate Bill No. 739—An act to amend section 16x19 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator McCormack: Senate Bill No. 740—An act to amend section 4248 of the Political Code, relating to compensation of county and township officers in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator McCormack: Senate Bill No. 741—An act to amend section 9a19 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California,

and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1908, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to librarians in counties of the nineteenth class.

Bill read first time, and referred to Committee on County Government.

By Senator Hayes: Senate Bill No. 742—An act to amend chapter 586, Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending sections 37, 37a, 37c and 37f thereof and by adding thereto two new sections to be numbered 37g and 37h, all relating to the distribution of water in accordance with the rights thereto, as determined by court decree or written agreement.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator McKinley: Senate Bill No. 743—An act to amend section 24 of chapter 34, Statutes of 1927, entitled "An act to create a public corporation to be known as 'The State Bar of California,' to provide for its organization, government, membership and powers to regulate the practice of law and to provide penalties for violations of such act," relating to the admission to the practice of law.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ingels: Senate Bill No. 744—An act to amend sections 1 and 2 of an act entitled "An act regulating the hours of employment in underground mines, underground workings, whether for the purpose of tunneling, making excavations or to accomplish any other purpose or design, or in smelting and reduction works," approved May 30, 1913, relating to the keeping of records of the hours worked, providing penalties for violation of the act, providing for the enforcement of the act by the Department of Industrial Relations and extending the benefits of the act to workers employed in sheds or buildings in lime and cement and plants where dust is created.

Bill read first time, and referred to Committee on Mines and Mining.

By Senator Duval: Senate Bill No. 745—An act to amend section 2 and the title and to repeal section 1 of chapter 448, Statutes of 1929, entitled "An act to provide relief for owners of crops damaged by protected game animals," approved May 24, 1929.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Harper: Senate Bill No. 746—An act to amend sections 6 and 9 of chapter 209, Statutes of 1911, entitled "An act to authorize and regulate the possession, use, transportation and sale of trout or other fish, by persons engaged in the business of propagating and rearing such fish, and by persons who transport such fish, and by persons who purchase fish so reared," relating to identification marks.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Harper: Senate Bill No. 747—An act to amend section 637½ of the Penal Code, relating to protection of fish and game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Harper: Senate Bill No. 748—An act granting certain tidelands and submerged lands of the State of California to the city of San Diego upon certain trusts and conditions.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Harper: Senate Bill No. 749—An act to repeal the act entitled "An act providing for the authority to use the tidewaters of the entrance to 'False Bay' in San Diego County and certain lands adjacent thereto, to propel machinery; and to permit the erection and maintenance of structures for the installation, maintenance and operation of such machinery; and fixing the charge therefor," approved March 20, 1905.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Nelson: Senate Bill No. 750—An act to repeal an act entitled "An act to provide indemnity to persons erroneously convicted of felonies in the State of California," approved May 24, 1913.

Bill read first time, and referred to Committee on Judiciary.

By Senator Fellom: Senate Bill No. 751—An act to create a fund to be known as the State Highway General Fund, and providing for expenditures therefrom.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Fellom: Senate Bill No. 752—An act to amend section 626c of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Fellom: Senate Bill No. 753—An act to amend section 632 of the Penal Code, relating to the protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Duval: Senate Bill No. 754—An act to amend section 625o of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Williams: Senate Bill No. 755—An act providing for the supervision and regulation of the business of transportation of property by motor vehicle as a common carrier for compensation over any public highway in this State; defining highway transportation companies and providing for the regulation and supervision thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; providing rules of evidence for the application of the provisions of this act; and repealing an act entitled "An act providing for the supervision and regulation of the transportation of persons and property for compensation over any public highway by automobiles, jitney buses, auto trucks, stages and auto stages; defining transportation companies and providing for the supervision and regulation thereof by the Railroad Commission; providing for the enforcement of the provisions of this act and for the punishment of violations thereof; and repealing all acts inconsistent with the provisions of this act,"

approved May 10, 1917, chapter 213, Statutes 1917, page 330, and all acts amendatory thereof; and repealing all acts inconsistent with the provisions of this act, is hereby repealed.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Cassidy: Senate Bill No. 756—An act to amend section 85 of the California Vehicle Act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Cassidy: Senate Bill No. 757—An act to amend section 91 of the California Vehicle Act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Cassidy: Senate Bill No. 758—An act to amend section 118 of the California Vehicle Act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Nelson: Senate Bill No. 759—An act to amend section 71 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents, and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read first time, and referred to Committee on Public Utilities.

By Senator Bush: Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the Water Commission Act, approved June 16, 1913, as amended, by amending section 36f thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36g, relating to modification of court decrees as to quantities of water awarded.

Bill read first time, and referred to Committee on Irrigation.

By Senator Cassidy: Senate Bill No. 761—An act to amend section 1274a of the Code of Civil Procedure, relating to escheat estates.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cassidy: Senate Bill No. 762—An act to amend section 1269 of the Code of Civil Procedure, relating to escheat estates.

Bill read first time, and referred to Committee on Judiciary.

By Senator Cassidy: Senate Bill No. 763—An act to amend section 1272 of the Code of Civil Procedure, relating to escheat estates.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ingels: Senate Bill No. 764—An act to amend section 736c of the Political Code, relating to the payment of salaries of judges of the superior court.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 765—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator McKinley: Senate Bill No. 766—An act to amend section 354 of the Civil Code, relating to the powers of corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Moran: Senate Bill No. 767—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Duval: Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to protection of fish.

Bill read first time, and referred to Committee on Fish and Game.

By Senators Inman and Ingels: Senate Bill No. 769—An act to create an Automobile Accident Commission, to define its powers and provide for its organization.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Inman: Senate Bill No. 770—An act to amend the California Vehicle Act by amending section 81, and by adding thereto new sections to be numbered 112½ and 159¾, relating to penalties for non-payment of fees, to the sale of gasoline or other fuel for motor vehicles to persons under the influence of intoxicating liquors and authorizing the Division of Motor Vehicles to pay for damages to vehicles caused by the transportation of persons injured in automobile accidents.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Maloney: Senate Constitutional Amendment No. 18—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 9 of article IX thereof, relating to the election of the trustees of the University of California and to their terms.

Referred to Committee on Constitutional Amendments.

By Senator Inman: Senate Bill No. 771—An act to amend section 73 of the "California Vehicle Act," approved May 30, 1923, as amended, relating to the issuance, revocation and suspension of licenses.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Bush: Senate Bill No. 772—An act to amend section 21, chapter 914, Statutes of 1921, entitled "California Water Storage District Act," approved June 3, 1921, as amended, relating to the collection of unpaid assessments, the sale of property for delinquent assessments and the redemption of said property.

Bill read first time, and referred to Committee on Irrigation.

By Senator Evans: Senate Constitutional Amendment No. 19—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 8 of article XIII of the constitution, relating to taxation.

Referred to Committee on Constitutional Amendments.

By Senator Bush: Senate Bill No. 773—An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts." approved June 13, 1913, as amended, by chapter 758, Statutes 1929, by amending sections 2, 2*b*, 2*d*, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts and the election, appointment, qualifications, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; supervision of county boards of supervisors thereover, the assessment, fixing of rate and levy of taxes therefor; issuance, approval, and sale of bonds; receipt and disposition of moneys; annexation and exclusion of lands; the office of the district; the securing, use and disposition of water for irrigation purposes and the irrigation of lands therein; and obtaining, maintaining, use and construction of irrigation works.

Bill read first time, and referred to Committee on Irrigation.

By Senator Harper: Senate Bill No. 774—An act to amend section 4234 of the Political Code, relating to compensation of county and township officers in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Senator Harper: Senate Bill No. 775—An act to amend section 19x5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Senator Harper: Senate Bill No. 776—An act to amend section 16x5 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Senator Harper: Senate Bill No. 777—An act to add a new section to be numbered 8a5 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended relating to libraries in the counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Senator Harper: Senate Bill No. 778—An act to amend section 2322x5 of the Political Code, relating to the office of agricultural commissioner in counties of the fifth class.

Bill read first time, and referred to Committee on County Government.

By Senator Mixer: Senate Bill No. 779—An act to amend section 19x11 of the Juvenile Court Law, relating to probation officers in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Senator Mixer: Senate Bill No. 780—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Senator Mixer: Senate Bill No. 781—An act to amend section 16x11 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Senator Mixer: Senate Bill No. 782—An act to amend section 4240 of the Political Code, relating to compensation of county and township officers in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Senator Mixer: Senate Bill No. 783—An act to add a new section to be numbered 9a11 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State

of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the eleventh class.

Bill read first time, and referred to Committee on County Government.

By Senator Evans: Senate Bill No. 784—An act to add a new article to chapter 2 of part IV of division II of the School Code, to be known as article VIII, embracing sections 2.1470 to 2.1476, both inclusive, establishing a Bureau of Avocational Education in the State Department of Education and making an appropriation therefor.

Bill read first time, and referred to Committee on Education.

By Senators Nelson, Breed, Deuel, Jones and McKinley: Senate Bill No. 785—An act to add a new article to chapter 1, part III of division IV of the School Code, to be known as article XI, embracing sections 4.400, 4.401 and 4.402, relating to school district estimates and budgets.

Bill read first time, and referred to Committee on Education.

By Senator Williams: Senate Bill No. 786—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 787—An act to amend section 2322x42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 788—An act to amend section 16x42 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 789—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 790—An act to add a new section to be numbered 9a42 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 791—An act to amend section 2322x46 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 792—An act to amend section 16x46 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 793—An act to amend section 4275 of the Political Code, relating to compensation of county and township officers in counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 794—An act to add a new section to be numbered 9a46 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts in acts in conflict with this act.'" approved February 25, 1911, as amended, relating to libraries in counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 795—An act to amend section 19x46 of the Juvenile Court Law, relating to probation officers in counties of the forty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 796—An act to amend section 19x49 of the Juvenile Court Law, relating to prohibition officers in counties of the forty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 797—An act to amend section 2322x49 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 798—An act to amend section 16x49 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 799—An act to amend section 4278 of the Political Code, relating to compensation of county and township officers in counties of the forty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 800—An act to add a new section to be numbered 9a49 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the forty-ninth class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 801—An act to add section 19x53 to the Juvenile Court law, relating to probation officers in counties of the fifty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 802—An act to amend section 2322x53 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 803—An act to amend section 16x53 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 804—An act to amend section 4282 of the Political Code, relating to compensation of county and township officers in counties of the fifty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 805—An act to add a new section to be numbered 9a53 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing, 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the fifty-third class.

Bill read first time, and referred to Committee on County Government.

By Senator Williams: Senate Bill No. 806—An act to amend sections 1195b, 1205, 1210, 1229 and 1261 of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262, of the Political Code, relating to tally lists.

Bill read first time, and referred to Committee on Elections.

By Senator Williams: Senate Bill No. 807—An act defining the civil liability for failure to control fire.

Bill read first time, and referred to Committee on Conservation.

By Senator Williams: Senate Bill No. 808—An act to amend sections 1094 and 1096 of the Political Code, relating to elections.

Bill read first time, and referred to Committee on Elections.

By Senator Breed: Senate Bill No. 809—An act to amend section 6 of, and to add a new section to be numbered section 6½ to, chapter 765, Statutes of 1927, entitled "California State Park Bond Act of 1927," approved May 25, 1927, creating the California State Park Revolving Fund, making appropriation for such fund and providing for its disbursement and replenishment.

Bill read first time, and referred to Committee on Finance.

By Senator Breed: Senate Bill No. 810—An act to amend section 365f of the Political Code, relating to the power of the California Highway Commission to acquire lands for highway and other purposes and to construct and maintain State highways and other improvements incident thereto.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Rich: Senate Bill No. 811—An act to amend section 690 of the Code of Civil Procedure, relating to property exempt from execution and/or attachment.

Bill read first time, and referred to Committee on Judiciary.

By Senator Rich: Senate Bill No. 812—An act to amend section 3480 of the Political Code, relating to the issuance of bonds in reclamation districts and the calling of special elections for that purpose.

Bill read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

By Senator Cleveland: Senate Bill No. 813—An act to add a new section to be numbered 9a26 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,' approved February 25, 1911, as amended, relating to libraries in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Cleveland: Senate Bill No. 814—An act to amend section 4255 of the Political Code, relating to compensation of county and township officers in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Cleveland: Senate Bill No. 815—An act to amend section 16x26 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Cleveland: Senate Bill No. 816—An act to amend section 2322x26 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Cleveland: Senate Bill No. 817—An act to amend section 19x26 of the Juvenile Court Law, relating to probation officers in counties of the twenty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Wagy: Senate Bill No. 818—An act enlarging and amending the powers and duties of the Railroad Commission of California with reference to the conservation, transportation, storage and purchase of crude petroleum and its products in this State, and making an appropriation for the purposes of this act.

Bill read first time, and referred to Committee on Oil Industries.

By Senator Wagy: Senate Bill No. 819—An act to amend section 151 of the California Vehicle Act, relating to the straying of live stock upon highways.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Wagy: Senate Bill No. 820—An act to appropriate the sum of \$250,000 out of any money in the State treasury, not otherwise appropriated, to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento; and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation.

Bill read first time, and referred to Committee on Finance.

By Senator Wagy: Senate Bill No. 821—An act to create a Department of Radio Supervision under the control of the Railroad Commission, providing for a radio director and his assistants; creating a fund for operating expenses, and providing a tax for the maintenance thereof.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Inman: Senate Bill No. 822—An act making appropriation to meet the deficiency in the appropriation for the Bureau of Commerce of the Department of Finance.

Bill read first time, and referred to Committee on Finance.

By Senator Slater: Senate Bill No. 823—An act to add section 66c to the Code of Civil Procedure, relating to the number of superior judges in and for the county of Sonoma.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senators Schottky and Breed: Senate Bill No. 824—An act appropriating money to pay the expenses of maintaining an exhibit of State products at the International Fair and Exhibit to be held in Chicago, Illinois, in 1933, and to provide commissioners thereof.

Bill read first time, and referred to Committee on Finance.

By Senator Jones: Senate Bill No. 825—An act to amend chapter 166, Statutes of 1929, entitled the "Water Conservation Act of 1929,"

approved April 27, 1929, by amending the title thereto, by amending sections 2, 23, 27, 29 and 33, and by adding twenty-five new sections to be numbered 24*a*, 24*b*, 24*c*, 24*d*, 24*e*, 24*f*, 24*g*, 24*h*, 24*i*, 24*k*, 24*l*, 24*m*, 33*a*, 33*b*, 33*c*, 33*d*, 33*e*, 33*f*, 33*g*, 33*h*, 33*i*, 33*j*, 33*k*, and 33*l*.

Bill read first time, and referred to Committee on Irrigation.

By Senator Jones: Senate Bill No. 826—An act to regulate holding companies.

Bill read first time, and referred to Committee on Judiciary.

By Senator Jones: Senate Bill No. 827—An act to amend section 4.730 of the School Code, and to repeal sections 4.731 and 4.732, relating to the duty of the Superintendent of Public Instruction to make certain reports to the State Controller.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 828—An act to amend section 4.721 of the School Code, relating to the determination of the units of average daily attendance in schools closed by boards of health or public disaster.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 829—An act to amend section 4.280 of the School Code, relating to the powers and duties of governing boards of school districts.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 830—An act to amend the title of article VI of chapter I of part IV of division V of the School Code and to amend sections 4.750 and 4.751 thereof, relating to the average daily attendance in school district.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 831—An act to amend sections 4.360, 4.361, 4.362, 4.365, 4.366, 4.372 of the School Code, and to add thereto new sections to be numbered 4.374, 4.375 and 4.376; to repeal chapter IV, embracing sections 4.460 to 4.501, both inclusive, chapter V, embracing sections 4.510 to 4.520, both inclusive, chapter VI, embracing sections 4.530 to 4.582, both inclusive, chapter VII, embracing sections 4.590 to 4.626, both inclusive, of part III of division IV of the School Code; to repeal chapter 397 of the Statutes of 1929, entitled "An act relating to maximum rates of tax for school district purposes," approved May 22, 1929.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 832—An act to amend sections 4.871, 4.872, 4.873, 4.874, 4.875, 4.890, 4.891, 4.892, 4.893, 4.894, 4.895 and 4.896, of the School Code and to repeal sections 4.876, 4.897, 4.899, 4.900, 4.921, 4.925, 4.926 and 4.927 thereof, relating to the apportionment of State and county funds to high school districts.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 833—An act to amend the title of chapter II of part II of division IV of the School Code; to amend sections 4.161, 4.170, 4.172 and 4.173 thereof; to repeal chapters III, IV

and V embracing sections 4.180 to 4.282, both inclusive, of part II of division IV of the School Code; to repeal chapter VI embracing sections 4.250 to 4.271, both inclusive, of part II of division II of the School Code; to repeal article V, embracing sections 4.630 to 4.639, both inclusive, of chapter VII of part III of division IV of the School Code; to repeal section 4.174 thereof and to add to chapter II of part II of division IV of the School Code four new articles to be known as article III, article IV, article V and article VI, respectively, embracing sections 4.180 to 4.211, both inclusive; to add a new chapter to part II of division IV of the School Code to be known as chapter III, embracing sections 4.220 to 4.251, both inclusive, and to add a new chapter to part III of division IV of the School Code to be known as chapter IV, embracing sections 4.260 to 4.268, both inclusive; to add two new sections to the School Code to be numbered 5.550 and 5.635; and to repeal chapter 582 of the Statutes of 1929, entitled "An act to provide for the purchase of school supplies for school districts and defining the powers and duties of superintendents of schools of counties and other officers in relation thereto," approved May 31, 1929, all relating to county school funds and the use thereof.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 834—An act to amend section 4.290 of the School Code, relating to temporary transfers of moneys from the funds of a county or city to the funds of a school district within such county or city.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 835—An act to amend sections 4.340, 4.343, 4.344, 4.346, 4.347, 4.350 and 4.351 of the School Code, and to repeal section 4.348 thereof, all relating to orders and requisitions upon school district funds.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 836—An act to amend section 2.1220 of the School Code, relating to reports by school superintendents to the Superintendent of Public Instruction and to county boards of supervisors.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 837—An act to repeal article V, embracing sections 4.320 to 4.334, both inclusive, of chapter I of part III of division IV of the School Code, relating to claims against school district funds.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 838—An act to amend sections 5.611 and 5.616 of the School Code, relating to the payment of expenses of holding teachers' institutes.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 839—An act to amend section 2.1427 of the School Code, relating to the duties of the Superintendent of Public Instruction.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 840—An act to amend section 4 of chapter 277 of the Statutes of 1907, entitled "An act to create a fund to be known as the United States Forest Reserve Fund, and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund.

Bill read first time, and referred to Committee on County Government.

By Senator Jones: Senate Bill No. 841—An act to amend section 4.440 and to repeal section 4.441 and article II, embracing sections 4.450 to 4.555, both inclusive, of chapter III of part III of division IV of the School Code, all relating to kindergarten funds of elementary school districts and taxes thereof.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 842—An act to add a new article to chapter VI of part III of division III of the School Code, to be known as article VII, embracing sections 3.415 and 3.416, relating to the attendance of students upon junior colleges.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 843—An act to amend sections 3.306 and 3.309 of the School Code, and to repeal section 3.307 thereof, relating to the attendance of pupils in a high school district in which such pupils do not reside.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 844—An act to amend section 3.292 of the School Code, relating to apportionments of State and county funds to high school districts.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 845—An act to amend section 3.350 of the School Code, relating to junior college courses of study maintained by high school districts.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 846—An act to amend sections 4.700 and 4.710 of the School Code, and to repeal sections 4.701, 4.702, 4.703, and 4.704 thereof, relating to apportionments of State and county funds to school districts.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 847—An act to repeal chapter 2, embracing sections 4.760 to 4.864, both inclusive, of part IV of division IV of the School Code, and to add thereto a new chapter, to be known as chapter 2, embracing sections 4.760 to 4.833, both inclusive, relating to the apportionment of State and county elementary school funds.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 848—An act to amend sections 6.61, 6.260, 6.440, 6.441, 6.452, 6.732 and 6.751 of the School Code; to

add thereto new sections to be numbered 6.101, 6.204, 6.470-1, 6.470-2 and 6.733; to add a new article to chapter II of part I of division VI thereof, to be known as article VIa, embracing section 6.90a; a new article to chapter IV of part I of division VI thereof, to be known as article IIIa, embracing sections 6.190a, to 6.194a, both inclusive; to repeal article I embracing sections 6.370 to 6.376, both inclusive, article III, embracing sections 6.390 to 6.393, both inclusive, article IV, embracing sections 6.400 to 6.408, both inclusive, article V, embracing sections 6.420 to 6.429, both inclusive; all of chapter V of part II of division VI thereof; to add to chapter V of part II of division VI thereof, a new article to be known as article I, to embrace sections 6.370 to 6.375, both inclusive; a new article to be known as article III, to embrace sections 6.390 to 6.391, both inclusive; a new article to be known as article IV, embracing sections 6.400 to 6.409, both inclusive; a new article to be known as article V, to embrace sections 6.420 to 6.424, both inclusive; to repeal section 6.62 thereof, and to repeal all those acts and parts of acts in this act enumerated and described, all relating to the environment and equipment of the public school system.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 849—An act to amend sections 5.401, 5.460, 5.461, 5.802, 5.810 and 5.1071 of the School Code; to repeal chapter VI, embracing sections 5.630 to 5.634, both inclusive, of part III of division V thereof; to add a new chapter to part III of division V thereof, to be known as chapter VI, embracing sections 5.630 to 5.634, both inclusive; to add thereto new sections to be numbered 5.112, 5.383, 5.532, 5.804, 5.815; to add thereto a new part, to be known as part V of division V thereof, embracing sections 5.1100 to 5.1138, both inclusive, to repeal section 5.814, and to repeal those acts in this act enumerated and described, all relating to the teaching and supervisory force of the public school system.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 850—An act to amend sections 4.52, 4.380, 4.381, 4.382, 4.452, 4.490, 4.630, 4.774, of the School Code; to add thereto new sections to be numbered 4.281, 4.383, 4.384, 4.469, 4.491, 4.492, 4.762-1 and 4.778-1; to add a new article to chapter I of part III of division IV thereof, to be known as article Ia and to embrace sections 4.280a to 4.284a, both inclusive, and to repeal those acts in this act enumerated and described, all relating to the financial support of the public school system.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 851—An act to amend sections 3.351, 3.530 and 3.762 of the School Code, to repeal article VIII, embracing sections 3.490 to 3.501, inclusive, of chapter I of part IV of division III thereof, to add a new article to chapter II of part IV of division III thereof to be known as article VIII embracing sections 3.490 to 3.495, inclusive, to add a new article to chapter II of part IV of division III to be known as article VIIa, embracing sections 3.670a to 3.685a, inclusive; to add thereto new sections to be numbered 3.392 and 3.807 and to repeal those acts in this act enumerated and described, all relating to the system of public instruction.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 852—An act to amend sections 2.310, 2.500, 2.600, 2.670 to 2.674, inclusive, 2.690, 2.691, 2.750, 2.830, 2.877, 2.913, 2.1021, 2.1058, 2.1061, 2.1130, 2.1131, 2.1391, 2.1435, 2.1440 to 2.1443, inclusive, 2.1463, 2.1466 and 2.1468 of the School Code; to add thereto new sections to be numbered 2.21, 2.1095, 2.1111, 2.1321, 2.1399 to 2.1401, inclusive, 2.1444 to 2.1446, inclusive, and 2.1469; to add a new article to chapter VI of part I of division II thereof to be numbered article VIIIa embracing sections 2.440a to 2.454a, inclusive; to add a new article to chapter XI of part I of division II thereof to be numbered article VIa embracing sections 2.730 to 2.738a, inclusive; to add a new article to chapter I of part V of division II thereof to be numbered article V embracing section 2.1520; to repeal sections 2.1392 to 2.1398, inclusive, and sections 2.1132 to 2.1133 thereof, and to repeal those acts in this act enumerated and described, all relating to the administrative organization of the public school system.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to amend sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430, inclusive, and new sections to be numbered 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools.

Bill read first time, and referred to Committee on Education.

By Senator Crittenden: Senate Bill No. 854—An act to amend chapter 522, Statutes of 1917, entitled "An act defining industrial loan companies, providing for their incorporation, powers and supervision," approved May 18, 1917.

Bill read first time, and referred to Committee on Banking.

By Senator Crittenden: Senate Bill No. 855—An act to be known as the Child Labor Law, regulating the employment and hours, times and conditions of labor of children, providing for the administration and enforcement of the provisions of this act by the Commissioner of the Bureau of Labor Statistics, prescribing penalties for the violation hereof and repealing all acts and parts of acts inconsistent herewith.

Bill read first time, and referred to Committee on Labor and Capital.

By Senator Crittenden: Senate Bill No. 856—An act to amend the School Code of California.

Bill read first time, and referred to Committee on Education.

By Senator Rich: Senate Bill No. 857—An act to amend sections 30 and 31 of the Workmen's Compensation, Insurance and Safety Act, and to add a new section thereto, to be numbered 31a.

Bill read first time, and referred to Committee on Insurance.

By Senator Rich: Senate Bill No. 858—An act to amend section 1940 of the Juvenile Court Law, relating to probation officers in counties of the fortieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Rich: Senate Bill No. 859—An act to amend section 2322x40 of the Political Code, relating to the office of agricultural commissioner in counties of the fortieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Rich: Senate Bill No. 860—An act to amend section 16x40 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fortieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Rich: Senate Bill No. 861—An act to amend section 4269 of the Political Code, relating to compensation of county and township officers in counties of the fortieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Rich: Senate Bill No. 862—An act to add a new section to be numbered 9a40 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,' approved February 25, 1911, as amended, relating to libraries in counties of the fortieth class.

Bill read first time, and referred to Committee on County Government.

By Senator Rich: Senate Bill No. 863—An act to amend section 16x41 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator Rich: Senate Bill No. 864—An act to add a new section, to be numbered 9a41, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' approved February 25, 1911, as amended, relating to libraries in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator Rich: Senate Bill No. 865—An act to amend section 4270 of the Political Code, relating to compensation of county and township officers in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator Rich: Senate Bill No. 866—An act to amend section 2322x41 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator Rich: Senate Bill No. 867—An act to amend section 19x41 of the Juvenile Court Law, relating to probation officers in counties of the forty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator Deuel: Senate Bill No. 868—An act to amend section 4251 of the Political Code, relating to compensation of county and township officers in counties of the twenty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Duval: Senate Bill No. 869—An act to amend section 2322x22 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Duval: Senate Bill No. 870—An act to add section 19x22 to the Juvenile Court Law, relating to probation officers in counties of the twenty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Duval: Senate Bill No. 871—An act to amend section 16x22 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Duval: Senate Bill No. 872—An act to add a new section, to be numbered 9a22, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the twenty-second class.

Bill read first time, and referred to Committee on County Government.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 22, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 245—An act to carry into effect the provisions of section 18 of article XIII of the constitution, and adding sections 3664b1, 3664b2, 3664b3, and 3664b4, to the Political Code, relating to taxation of ocean marine insurers.

ARTHUR A. OHNIMUS, Chief Clerk.
By JOHN STOCKWELL, Assistant Clerk.

Assembly Bill No. 245 ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1450—An act to create a State Unemployment Commission to study the problem of unemployment and to propose remedies therefor and to make an appropriation therefor.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read :

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1450 :

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, January 23, 1931.

To the Honorable Members of the Senate of the State of California.

Assembly Bill No. 1450 makes an appropriation and creates a State Unemployment Commission to study the problems of unemployment and to propose remedies therefor.

In my opinion the appropriation for such expenditure constitutes an emergency within the meaning of article IV, section 34 of the constitution and I therefore recommend the passage of this bill as an emergency measure.

Respectfully submitted.

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND

FOUR HUNDRED FIFTY.

Senator Maloney asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 1450, without reference to committee.

RESOLUTION.

The following resolution was offered :

By Senator Maloney :

Resolved, That Assembly Bill No. 1450 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Maloney moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names :

Senators Allen, Breed, Bush, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—26.

The Secretary announced the absentees.

Time, two o'clock and fifty-seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read :

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 11—Relative to approving

certain amendments to the charter of the city of Albany, a municipal corporation, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER ELEVEN.

Senator Breed asked for, and was granted, unanimous consent for the consideration of Assembly Concurrent Resolution No. 11, without reference to committee, for purpose of adoption.

Assembly Concurrent Resolution No. 11—An act approving certain amendments to the charter of the city of Albany, a municipal corporation in the county of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of November, 1930.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 11 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Crittenden, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—26.

NOES—None.

Assembly Concurrent Resolution No. 11 ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 21—Relative to compilation of constitution.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 21 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, January 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 12—Relative to stimulation of California industry in the interest of relief of unemployment.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 12 referred to Committee on Agriculture and Live Stock.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At three o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Maloney.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1450.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND FOUR
HUNDRED FIFTY.

Assembly Bill No. 1450—An act to create a State Unemployment Commission to study the problem of unemployment and to propose remedies therefor and to make an appropriation therefor.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 6. This act is declared to be an urgency measure deemed necessary for the immediate preservation of the public peace and safety, within the meaning of section 1 of article IV of the constitution, and as such it shall take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1450 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, JANUARY 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 20—Relative to the California State Fair and Western State Exposition.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Concurrent Resolution No. 20 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, JANUARY 23, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 6—Relative to memorializing the Congress of the United States to designate the Star Spangled Banner as the national anthem of the United States of America;

Also: Senate Bill No. 204—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters;

Also: Senate Bill No. 277—An act to provide for preserving and making available for public use as a permanent record all data, records, maps and reports made or collected pursuant to water resources investigations and studies heretofore made and authorized under chapter 889, Statutes of 1921; chapters 476 and 477, Statutes of 1925; chapter 809, Statutes of 1927; and chapters 656 and 832, Statutes of 1929, and making an appropriation therefor, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-third day of January, 1931, at eleven o'clock a.m.

RILEY, Chairman.

RESOLUTIONS.

The following resolutions were offered:

By Senator Maloney:

Resolved, That Ruth E. Hopps be transferred from the position of Chief Stenographer at \$6.00 per day to the position of Stenographer at \$5.00 per day.

Resolution read.

Senator Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—26.

NOES—None.

Also:

Resolved, That the following named persons be stricken from the list of Senate attaches, and their names be stricken from the pay roll of the Senate, to take effect on completion of work of January 23, 1931:

Harold J. Powers, Minute Clerk	\$9 00
Dr. Sherman L. Divine, Chaplain	4 00
Paul Mason, Chief Assistant Secretary	9 00
Thomas Bickmore, Assistant at the Desk	5 00
Donald Bruce, Assistant at Desk	5 00
Julian Lindsey, Assistant at Desk	5 00
M. H. McCarthy, Assistant at Desk	5 00
Robert M. Wilson, Assistant at Desk	5 00
John P. Rice, Assistant at Desk	5 00
Mrs. H. J. Carter, Postmistress	4 00
Lena H. Redding, Assistant Postmistress	4 00
L. Williams, Journal Clerk	5 00
Clarence Prentice, Mailing Clerk	4 00
Larry Allen, Stenographer	5 00
Mary Berman, Stenographer	5 00
Dorothy F. Burk, Stenographer	5 00
Verne F. Endicott, Stenographer	5 00
Winifred Elliott, Stenographer	5 00
Blanche Garrigan, Stenographer	5 00
Neva M. Gregg, Stenographer	5 00
Julia Hays, Stenographer	5 00
Ethel Howland, Stenographer	5 00
Patricia Lang, Stenographer	5 00
Clara Lossman, Stenographer	5 00
Josephine Pewterbaugh, Stenographer	5 00
Verda Roberts, Stenographer	5 00
Agnes Shearer, Stenographer	5 00
George Jackson Claire, Clerk Finance Committee	6 00
John Crotty, Assistant Sergeant-at-Arms	5 00
A. J. Marshall, Assistant Sergeant-at-Arms	5 00
Theodore LaFayette, Assistant Sergeant-at-Arms	5 00
J. W. Roberts, Assistant Sergeant-at-Arms	5 00
Walter Yarwood, Assistant Sergeant-at-Arms	5 00
Fred Niler, Assistant Sergeant-at-Arms	5 00
George Longwich, Page	2 50
Donald McGuire, Page	2 50
Frank Smith, Page	2 50
W. F. Reed, Judiciary Clerk	6 00
Harry Jordan, Assistant Sergeant-at-Arms	5 00

Resolution read, and on motion of Senator Maloney, adopted.

Also:

Resolved, That the following named person be stricken from the list of Senate attaches, and his name stricken from the pay roll of the Senate to take effect on completion of work on January 23, 1931:

James L. Gardiner, Assistant at Desk.....\$5 00

Resolution read, and on motion of Senator Maloney, adopted.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Cleveland: Senate Bill No. 873—An act to amend section 2468 of the Political Code, relating to pilotage at the port of San Francisco.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Moran: Senate Bill No. 874—An act to amend section 2322x36 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 875—An act to add section 19x36 to the Juvenile Court Law, relating to probation officers in counties of the thirty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 876—An act to amend section 9a36 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to librarians in counties of the thirty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 877—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 878—An act to amend section 16x36 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-sixth class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 879—An act to add a new section to be numbered 9a42 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 880—An act to amend section 2322x42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 881—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 882—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 883—An act to amend section 16x42 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-second class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 884—An act to amend section 19x38 of the Juvenile Court Law, relating to probation officers in counties of the thirty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 885—An act to amend section 2322x38 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 886—An act to amend section 16x38 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 887—An act to amend section 4267 of the Political Code, relating to compensation of county and township officers in counties of the thirty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Moran: Senate Bill No. 888—An act to add a new section to be numbered 9a38 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-eighth class.

Bill read first time, and referred to Committee on County Government.

By Senator Deuel: Senate Bill No. 889—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of non-resident students of the University of California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

By Senator Ingels: Senate Bill No. 890—An act to amend section 626m of the Penal Code, relating to hunting and fishing at night.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Crittenden: Senate Bill No. 891—An act to amend chapter 880, Statutes of 1927, entitled "An act to reduce the fire insurance hazards of the business of clothes cleaning establishments, providing for the enforcement thereof by the State Fire Marshal, providing ways and means for enforcement and providing penalties for violation," as approved June 3, 1927, relating to the regulation of the operation of cleaning and dyeing plants.

Bill read first time, and referred to Committee on Insurance.

By Senator Fellom: Senate Bill No. 892—An act declaring the policy of the State of California relative to toll bridges and creating a board to be known as California Toll Bridge Authority and providing for membership thereof and specifying its duties and powers; also authorizing California Toll Bridge Authority to authorize and direct the Department of Public Works of the State of California to build, purchase, condemn or otherwise acquire for and in the name of the State of California toll bridges and other toll highway crossings and approaches thereto across waters, bays, arms of bays, straits, rivers and streams in California, both navigable and unnavigable, or across any stream that is a boundary line between California and any other state, and to acquire franchises, rights, privileges, easements or other property, either real or personal, used or to be used in conjunction with any such bridges; also authorizing the Department of Public Works to make recommendations to the California Toll Bridge Authority relative to the acquisition or construction of any toll bridge or toll highway crossing and to submit preliminary estimates of the cost of such acquisition or construction and the amount of revenue bonds required to be issued for such purpose; also authorizing California Toll Bridge Authority to issue and sell revenue bonds to provide funds for the acquisition or construction of toll bridges or other toll highway crossings secured as to the redemption thereof and the interest thereon only by the tolls or other revenues received from such bridge or bridges or other highway crossings and to prescribe the terms and conditions of such bonds; also authorizing the issuance and sale of such revenue bonds for the payment of interest during the period of actual construction of such bridge or other highway crossing and for a period of six months thereafter; also providing for the manner in which such bonds shall be issued and signed and the manner of sale and redemption thereof and the payment of interest thereon; also authorizing said California Toll Bridge Authority to charge and fix the rates of toll on such bridges or other highway crossings and regulating the amount thereof; also authorizing the Department of Public Works of the State of California to operate and maintain all such toll bridges or other toll highway crossings and to collect tolls thereon; also authorizing the Department of Public Works to acquire by eminent domain any toll bridge or bridges or other toll highway crossing or approaches thereto, real estate, personal property, franchises, rights, privileges or easements appurtenant thereto or appropriated to a public use by any person, firm or private corporation or otherwise and defining the procedure therefor; also pro-

viding that bonds issued and sold by California Toll Bridge Authority shall not constitute or be a debt or general obligation of the State and shall be secured only by the tolls or other revenues collected from the operation of such bridges or other highway crossings and shall be paid from such tolls or revenues made available by this act; also authorizing any city, county, city and county, incorporated city or town, or joint highway district to advance or contribute money, rights of way, labor, materials or other property in aid of the acquisition, construction, operation or maintenance of any such bridge or highway crossing and to issue and sell general obligation bonds for such purpose; also authorizing the California Toll Bridge Authority to enter into agreements with any such political subdivisions for the repayment of contributions or advances; and providing the time and manner of making such repayments; also providing for the eliminations of toll charges on bridges or other highway crossings acquired and constructed under this act; also defining the limits within which other competitive bridges or other highway crossings or free ferries may be constructed or operated; and also authorizing the recital of the terms of such limitations in bonds issued hereunder; also creating and establishing certain funds and regulating the manner in which moneys may be withdrawn therefrom; also prescribing the manner in which any city, county, city and county, incorporated bridge and highway district or joint highway district may acquire or construct toll bridges or other toll highway crossings; also authorizing California Toll Bridge Authority to make agreements with steam and electric or other railroad or transportation companies for the use of portions of toll bridges or other highway crossings acquired or constructed under this act; also providing for the manner in which contracts shall be let for the building of bridges or other highway crossings; also empowering the Department of Public Works to designate certain county roads as State highways; also authorizing the acquisition or construction of tubes or tunnels in connection with such bridges or other highway crossings; also authorizing casualty insurance, indemnity bonds or accident insurance on bridges and other highway crossings constructed under this act; also giving, dedicating and setting apart rights of way through, over, on and across State property for the construction of such toll bridges or other toll highway crossings; also appropriating \$50,000 for the purpose of establishing a revolving fund and providing for the use thereof and the manner of reimbursement thereto.

Bill read first time, and referred to Committee on Roads and Highways.

REPORT OF JOINT LEGISLATIVE COMMITTEE ON TAXATION.

The following report was received and, on motion of Senator Breed, ordered printed in the Journal:

RESOLUTION CREATING THE JOINT LEGISLATIVE COMMITTEE ON TAXATION

Chapter 35 of Statutes of 1929.

SENATE CONCURRENT RESOLUTION NUMBER TWENTY

Providing for the appointment of a committee on tax investigation.

[Filed with Secretary of State, April 23, 1929.]

WHEREAS, In view of the submission of the final report of the California Tax Commission and the commission's several recommendations contained therein, it appears necessary and advisable that a thorough study be made of said report and

of the entire system of local and general taxation of the State and the relative burden borne by all property in proportion to its value and that recommendations be made to the Legislature at its forty-ninth biennial session with reference to the recommendations contained in said report and for any other changes, modifications and amendments to the existing provisions of law and the State constitution, if any are deemed necessary or advisable; and

WHEREAS, It is extremely important that opportunity be given the citizens and taxpayers of the State of California to express their views, opinions, suggestions and recommendations in regard to any or all proposed new methods of taxation and also as to the existing system or methods of taxation as compared to the new methods proposed in said report, or otherwise, or any changes or modifications deemed necessary or advisable with reference thereto; and

WHEREAS, Said report and the executive message by which it was transmitted to this Legislature recommend that a careful study and investigation of the question of taxation be made by the Legislature; and

WHEREAS, Irrespective of whether there may or may not be a continuance of a Statutory Tax Commission, it is necessary and advisable to secure well considered yet speedy and prompt action by the next Legislature on a comprehensive program of taxation; therefore, be it

Resolved by the Senate of the State of California, the Assembly concurring, That a committee of eight members, consisting of four members of the Assembly, one of whom shall be the Speaker of the Assembly, the other three to be appointed by the Speaker, and four members of the Senate to be appointed by the President of the Senate, be appointed to make a study of said report and the recommendations therein contained and of the tax problems of the State and of the counties, municipalities and political subdivisions of this State and to make such recommendations to the Legislature of the State of California at the forty-ninth session thereof, with reference to any and all of the matters herein referred to, as it may deem proper and advisable; and, be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and one of its members as vice chairman and by the election of a secretary, and shall proceed with said investigation in such a manner as may be determined by said committee; and, be it further

Resolved, That said committee is hereby authorized to hold public hearings at any place in the State of California, after reasonable announcements thereof have been given to the public at which hearings the people shall have the opportunity to present their views to the committee with reference to any suggested method of taxation; and, be it further

Resolved, That said committee shall in addition to other things herein provided investigate the provisions of the constitution of the State of California, and the statutes of the State and the ordinances of counties and municipalities, which may bear upon taxes and revenues, and shall determine as nearly as possible the burden of taxes now borne or paid pursuant to each and all of such provisions by the various classes of property in proportion to the value of such respective classes; and, be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters herein referred to, and is hereby authorized and empowered to require the production of books, agreements, documents, records, accounts and papers of every kind; to issue subpoenas, to compel the attendance of witnesses, and to procure testimony and so far as practicable have material testimony reported so that it may be used by the Legislature. Each member of said committee is hereby authorized to administer oaths; and all the provisions of article VIII of chapter 8, title I, part III of the Political Code of the State of California relating to the attendance and assemblage of witnesses before the Legislature and committees shall apply to the committee appointed under this resolution and it shall be the duty of all State, county, municipal and political subdivision officers to furnish such reports and testimony, upon request of said committee and as may be pertinent to the purposes herein set forth; and, be it further

Resolved, That it shall be the duty of said committee to submit its report covering all of the provisions herein made, and particularly its findings on questions of necessary revenue and on the relative burden of taxes borne by the several classes of property in the State, including taxes of the State, counties, municipalities and political subdivisions, to make its recommendations of changes in present laws or provisions of the constitution of this State which will correct any inequalities, if such may be found, and further to report on such other matters as in its judgment may bear upon any of the problems covered by the provisions of this resolution, and make public its findings and conclusions by filing a copy thereof with the Governor of the State of California as a public document not earlier than November 15, 1930, and not later than December 1, 1930, and also to submit its report to the Legislature of the State of California during the first week of the forty-ninth session thereof; and, be it further

Resolved, That the sum of \$50,000, or so much thereof as may be necessary, is hereby set apart, reserved and appropriated out of the respective contingent funds

of the Senate and Assembly, which may have heretofore or may hereafter be appropriated for the contingent expenses of the Senate and Assembly by this session of the Legislature, said sum to be payable one-half from the contingent fund of the Senate and one-half from the contingent fund of the Assembly, but not exceeding the sum of \$50,000 in all, for the purpose of paying the expenses incurred by the joint committee herein designated, under the authority hereof, and for the purposes herein set forth, and said payments shall be disbursed from time to time by Controller's warrants to be drawn against such contingent funds upon the written orders of the chairman of said joint committee herein provided for.

Members of Joint Legislative Committee on Taxation: Speaker Edgar C. Levey, chairman, San Francisco; Senator Arthur H. Breed, vice chairman, Oakland; Assemblyman Harry E. Sewell, secretary, Whittier; Senator J. W. McKinley, Los Angeles; Senator Herbert C. Jones, San Jose; Senator H. C. Nelson, Eureka; Senator Charles H. Deuel,* Chico; Assemblyman Isaac Jones, Ontario.

Technical Staff: Edward Glass, executive secretary; Ira S. Solomon, assistant executive secretary; Anthony J. Kennedy, attorney and counsel; Victor Aaron, certified public accountant.

LETTER OF TRANSMITTAL.

January 23, 1931.

*To His Excellency, Hon. James Rolph, Jr.,
Governor of the State of California, and
The Members of the Forty-ninth Session of the Legislature.*

SIR: In accordance with Senate Concurrent Resolution No. 20, the Joint Legislative Committee on Taxation has the honor to transmit herewith its report.

Upon the basis of the committee's study of the tax system of California it is recommended:

Recommendation No. I.

A. That for the present the existing system of State taxation involving "Separation of Sources" be retained.

B. That the Legislature be empowered to make such further classifications and subclassifications of utility groups taxable upon their gross receipts for State purposes as may be necessary in order to achieve a more equitable distribution of the tax burden.

C. That the State Board of Equalization extend its studies with respect to the average tax burden on common property and the tax burden on utilities in order that more accurate comparisons between the tax burden on common property and the property of utility groups may be ascertained.

Recommendation No. II.

A. That a research department, consisting of technical experts in the fields of economics, valuation procedure and taxation, be created within the State Board of Equalization to operate under the coordinate control of the Governor, the Director of Finance and the State Board of Equalization, the function of which shall be to gather facts concerning all matters appertaining to revenue and taxation and submit such facts and recommendations thereon to the Legislature.

B. That the name of the State Board of Equalization be changed to "State Tax and Equalization Board."

Recommendation No. III.

That the constitution be amended to eliminate the requirement that the counties contribute an amount equal to the contribution of the State for elementary schools and a sum twice the amount contributed by the State for the support of high schools.

Recommendation No. IV.

That the board of supervisors of the county wherein school districts are located be empowered to review and revise the budgets of school districts.

Recommendation No. V.

That the research bureau, herein referred to, give consideration to devising ways and means of relieving the present excessive tax burden borne by homes, farms and all other real estate taxed locally.

Among other things attention is directed to the following suggestions which this committee believes will aid materially in accomplishing the above:

- (a) Proper tax limitation methods;
- (b) Transference to the State of certain general governmental functions now performed locally;
- (c) Determination of proper sources of new revenue;
- (d) Correction of certain abuses connected with special assessments.

* Appointed as member of Assembly, elected as Senator from Sixth District November 6, 1930.

Recommendation No. VI.

That the Legislature of the State take appropriate action designed to secure an amendment to section 5219 of the revised Statutes of the United States so that the State will be permitted greater latitude in the taxation of national banks.

Recommendation No. VII.

That the Bank and Corporation Franchise Tax Act be so amended that the tax base will be increased by providing that the allowance for depletion in the case of oil and gas wells shall be based upon the provisions of the Federal Revenue Act of 1928 and other amendments to improve the administration of the act be made.

Respectfully submitted.

JOINT LEGISLATIVE COMMITTEE ON TAXATION.

EDGAR C. LEVEY, Chairman.
A. H. BREED.
H. C. NELSON.
CHARLES H. DEUEL.
J. W. MCKINLEY.
HARRY F. SEWELL.

INTRODUCTION.

Due to the impoverished condition of the finances of this committee, caused by a failure of the appropriation made for it, it would have been difficult, indeed, to have compiled this report without material assistance from many sources. To accomplish this, many individuals and groups have generously assisted the committee in its labors of investigation. To these the committee desires to express grateful acknowledgment for the valuable assistance extended.

The committee is particularly indebted to the assessors of the State and their legislative committee; the offices of the State Board of Equalization; the Controller; the State Banking Department and Railroad Commission.

Individuals who have been more than responsive to the request of the committee for counsel and assistance and devoted to the committee's work a generous portion of their time and service, can not go unmentioned. These are:

Dixwell L. Pierce, Secretary of the State Board of Equalization; Fred B. Wood, Legislative Counsel; Assessor Russell L. Wolden, and his executive secretary, Harold Boyd, San Francisco; A. G. Mott, chief engineer, California Railroad Commission; Lester S. Ready, consulting engineer of the Railroad Commission; J. A. Crumb, statistician, State Banking Department; Von T. Ellsworth, research director; Lowell Miller, attorney, and Anthony Bledsoe, statistician, all of the staff of the California Farm Bureau Federation; Edward F. Treadwell of the California Constitutional Commission; Professor Carl Plehn, University of California; Professor Roger Traynor, University of California, and Vincent K. Butler, of the California Bar.

The resolution creating the Joint Legislative Committee on Taxation directs that the following program be carried forward, namely:

(1) An investigation and report of the 1927-29 California Tax Commission's several recommendations;

(2) An independent investigation and report of the entire system of local and general taxation of the State and the relative burden borne by all property in proportion to its value.

The 1927-29 California Tax Commission, under the direction of Dr. Robert Murray Haig of Columbia University, made a searching investigation into the present system of taxation submitting its recommendations in a report filed with Governor C. C. Young, March 5, 1929. This report proposed a complete revision of the existing tax structure of the State with these general ends in view:¹

(1) To bring about a more fair and equitable distribution of the tax burden;

(2) To collect from the corporations and public utilities doing business within the State a full and just contribution, but one which will not be unduly repressive or competitively disadvantageous;

(3) To remove real estate from its present exposed position where increased expenditures are almost inevitably translated into increased taxes on real property, resulting in unduly heavy burdens particularly on the farmers and small home owners;

(4) To exact a reasonable contribution from persons resident within the borders of the State without imposing burdens which will make residence in the State unattractive; and

(5) To promote the interest of the citizens of the State in exercising an intelligent control over the expenditures of the State and all of its political subdivisions, and to enable that control to be exercised without undertaxing special groups of taxpayers.

¹ Final report of the California Tax Commission submitted to the Governor of California, March 5, 1929, Sacramento, California State Printing Office, 1929, XXIV, 317 pages. Hereafter this document will be referred to as the 1929 report.

Hereafter this commission will be referred to as the 1927 commission or simply "the commission."² From the exhaustive analysis which it made of the tax system of the State, the 1927 commission became convinced that the present tax system, which was established in 1910, has outlived its usefulness and should be abandoned. The 1927 commission criticizes the present system in the following language:³

"Its faults are serious and fundamental. It discriminates against certain localities and favors others by the manner in which it withdraws property for State taxation which should properly be subject to local tax levies. It supplies the State with revenues in amounts determined by factors quite unrelated to its fiscal needs. The problem of adjusting the rates of the gross receipts taxes on public utilities so as to equalize their burden with the burden on common property is difficult, if not impossible to solve, and is provocative of disputes pregnant with unfortunate political consequences. It is impossible to adjust the rates on gross receipts so as to achieve a tolerable degree of equity as between company and company. Its advantages of simplicity and fiscal productivity are purchased at too high a price.

"The commission favors the gradual transformation of the present tax system, which is essentially an impersonal objective property tax, into a system consisting of three main divisions as follows: (1) An objective property tax of more restricted scope than the present property tax, imposed where the property is located, to serve primarily as a source of local revenue; (2) a comprehensive business tax, measured by net income arising from business carried on within the borders of the State, to serve chiefly as a source of State revenue; and (3) a personal contribution from each person resident within the State, apportioned according to ability to pay, the yield being divided between the State and the localities. Such a system would comprehend no measures which have not been thoroughly tested by experience in other states."

The 1927 commission proposed ten recommendations to make effectual their tax reform program. These recommendations with the commission's accompanying summarized comments follow:⁴

"*First.* That the operative real estate of all public utilities be valued by the State and then returned to the counties to be added to the local tax rolls and subjected to the same tax rates as are imposed upon the real estate of corporations and individuals. This step will eliminate the necessity of computing a rate to be imposed on public utilities because the rate will be determined automatically when the local property rates are struck. It will remove the cause for complaint arising from the counties which now suffer from the withdrawal of the operative property of the public utilities. It will almost completely solve the problem of the exemption of publicly-owned public utilities. These advantages will be gained at the cost of a considerable but not unreasonable increase in administrative difficulty. There must be a State assessment of the utility property returned, a State determination of the percentage of full value at which the utility property shall be added to the local rolls, and a distribution of the utility property to the various taxing districts of the State.

"*Second.* That a franchise tax be imposed by the State on all public utilities measured by their net income in the same manner and at the same rate as the similar tax on banks and other corporations. The effect of this action will be to establish ultimately a uniform business franchise tax on all corporations, the public utility corporations being treated exactly as other corporations. Another effect will be to strengthen materially the legal position of the new tax on banks.

"*Third.* That the State levy a direct tax on property in general, including the real estate of the public utilities, to make good any deficiencies in revenue which may arise after the adjustments herein recommended are made. Such a direct State tax will tend to increase the interest of the ordinary citizen and property owner in State expenditures. It will supply the State with an elastic element in its revenue system which will be of substantial assistance in scientific budgeting. Together with the step suggested in the first recommendation, it will give the State the opportunity to perform a badly needed service in supervising the local assessment of property. The commission estimates that such direct tax will be sufficiently light to make possible a reduction in the tax on ordinary real estate. Further substantial reductions in real estate taxes will be possible through the adoption of the fourth and sixth recommendations.

"*Fourth.* That the personal property taxes of corporations now paid to the localities and then offset against the new franchise tax be abolished (suitable compensation being made to the localities for the loss of revenue involved) and that the rate of this franchise tax, applying to all corporations, banks and public utilities, be then increased from 4 per cent to 5 per cent, in case the

² The members of the commission were: Irving Martin, chairman; H. L. Carnahan, W. J. Carr, R. B. Hale, Dr. John R. Haynes, Alexander R. Heron, Ray L. Riley, and Chester H. Rowell.

³ 1929 report, page XXI.

⁴ 1929 report, pages XXI-XXIV.

experience during the next three years indicates that such an increase is desirable. The acceptance of this recommendation will result in the elimination of an important part of the present personal property tax, a part of that tax which has proven incapable of fair application. It will simplify the task of the local assessor and enable him to perform the remainder of his work more satisfactorily. It will simplify the administration of the new franchise tax. It will place the ordinary business corporation on an exact equality with the banks and with the public utilities, assuming that the first and second recommendations relating to changes in the public utility taxes are adopted. Because of the very liberal definition of income, even with the rate of 5 per cent, California will compare favorably with other states with respect to the weight of its taxes on business.

"*Fifth.* That the taxes on insurance companies be modified (1) through the reduction of the ratio of the gross-premiums tax from 26 per cent to 2.25 per cent; (2) through the elimination of the privilege of offsetting real estate taxes against the gross-premium tax; and (3) through provisions designed to prevent evasion of the gross-premiums tax through reinsurance. The present taxes on insurance companies appear to be relatively heavy as compared with those imposed in other states and as compared with the taxes on other businesses in California. The present arrangement for a real estate offset results in the entire exemption of some companies from the gross receipts tax and is out of harmony with the general system of taxation which the commission is suggesting. It is not feasible to use net income as the measure of a tax upon insurance companies. The situation will be adjusted in the best manner at present possible by the adoption of the steps outlined.

"*Sixth.* That the people of the State be given an opportunity to record clearly their desire regarding the substitution of a personal income tax for the present tax on intangible personal property and such other classes of personal property as it may prove desirable to eliminate from the tax base. Viewed as a property tax the present tax on intangibles has no logical foundation. Viewed as a measure of personal taxpaying ability, it is without merit. If the people of the State desire an adequate and fair personal tax, they should establish a personal income tax. Such action should certainly be accompanied by the abolition of the property tax on intangibles and perhaps by the abolition of such other remnants of taxes on personal property as will remain after the adoption of the second, fourth and seventh recommendations. There is at present a constitutional provision of long standing authorizing the Legislature to impose an income tax, but a constitutional change would be necessary to abolish any part of the personal property tax. It appears to the commission that the present constitutional power to impose an income tax should not be exercised until the constitution has been changed so as to make a suitable adjustment in the personal property tax.

"*Seventh.* That the present local personal property taxes on motor vehicles be abolished and that the present State license tax of \$3 be increased sufficiently to reimburse the counties for the loss of revenue involved. The local tax on motor vehicles is difficult and expensive to administer and it is widely evaded. The State license fee, imposed as a condition to the issuance of plates, is cheap to administer and impossible to evade. After the increase, the fees will still compare favorably with those charged in other states.

"*Eighth.* That sufficient authority be granted the Legislature to equalize the taxation of motor carriers. That inequity will still exist in spite of the adoption of the Wagy measure seems clear, but the commission has been unable to secure the data essential to the formulation of definite recommendations of bases and rates. It suggests that this problem be given further study during the next two years.

"*Ninth.* That the rates and exemptions of the inheritance tax be adjusted so as to reduce the burden falling on shares of widows and so as to reduce certain high rates which in operation are seldom imposed, but which nevertheless give a false appearance of severity to the law. The acceptance of this recommendation will remove the ground for much of the complaint against the inheritance tax and will place California in substantially as favorable a position to attract residents as that of any state.

"*Tenth.* That the elective State Board of Equalization be abolished and that in its place a permanent Professional Tax Commission be established, consisting of three members appointed by the Governor, with powers to administer the State taxes, to value the real estate of the public utilities for return to the localities, to determine the degree of undervaluation in the assessments of the various counties and to supervise and assist the local assessors. The adoption of this suggestion will provide California with the form of State tax administration which has been proved satisfactory by the experience of other states. The commission considers that recommendation fundamental and desires to condition its other recommendation for changes in the tax system upon its acceptance."

In addition to the above ten recommendations which form the basis of the 1927 commission's general report, it issued a special report¹ on August 10, 1928, analyzing the bank tax problem and related subjects and urging that a special session of the Legislature be called to consider an amendment to the constitution. The members of the commission were convinced that certain litigation and court decisions had placed in jeopardy State revenue estimated to be in excess of \$22,000,000 and that emergency action was imperative. The Governor and the Legislature acted upon the advice of the commission and submitted the constitutional amendment to the electorate, and at the November 6, 1928, election the people authorized a new plan of taxing banks, corporate franchises, securities and solvent credits, which method was duly enacted into law by the Legislature of 1929.

The Joint Legislative Committee on Taxation is charged with the duty of analyzing various aspects of this recent legislation, as well as the ten recommendations set forth above.

In stating the main objectives of the problem which confronts the Joint Legislative Committee on Taxation, some current history in tax reform efforts has been mentioned.

A review of the earlier history of tax reform in California and a brief description of the present State system of taxation will make the sections of this report which follow more readily understood.

An additional reason for inserting this history is that the committee has been impressed by the fact that many well informed persons have confused ideas regarding the State taxation system, holding the opinion that local and State taxes have no relation to each other. However, the State and local methods under the systems of raising revenue are closely related and should be studied together.

HISTORY OF THE SYSTEM OF TAXATION IN CALIFORNIA.

Taxation prior to 1909.

Tax history in California for the past 50 years is divided into two major periods of approximately equal duration. Following the adoption of the present constitution of the State in 1879, there ensued an era during which the general property tax, established in that document as the basic source of public revenues, remained practically unchanged. This era came to a close in 1905 when general dissatisfaction with the operation of the system culminated in the creation of a Commission on Revenue and Taxation.² With minor changes and additions the labors of this commission continues to form the basis for the present revenue system.

Economic conditions prevailing in 1879 were free from many of the complexities which became prevalent twenty years later. When the constitution was adopted California was essentially a rural state with only the beginnings of population and industrial development. Except for the railroads, public utility operations as they are now known were scarcely conceived. The entire business and financial structure was comparatively simple. In such an era the general property tax, administered by local officials with a small measure of State supervision, seemed adequate. Provision was made for the central assessment of the roadbed, rolling stock, rails, rights of way and franchises of railroads operating in more than one county.³ These valuations were fixed by the State Board of Equalization and apportioned on a mileage basis among the several counties. Aside from this, all values, both for State and local tax purposes, were fixed by county and municipal assessors. Inasmuch as the State tax rate was applicable to valuations fixed by county assessors, power to raise or lower county assessment rolls as a whole was vested in the State Board of Equalization in an effort to prevent a low tax base in some counties at the expense of others in the application of a common State rate.

With the passing of the years it came to be generally recognized that the old system of taxation was failing to meet the requirements of fair and adequate public finance. Consequently, there was widespread interest in the work of the Commission on Revenue and Taxation, which held its organization meeting in the office of the Governor on May 27, 1905. In accordance with the provisions of an act of the thirty-sixth session of the Legislature meeting that year, the Senate and Assembly had appointed a joint committee composed of Senator J. B. Curtin and M. L. Ward, and Assemblymen H. S. G. McCarty and E. F. Treadwell. By the terms of the statute creating the commission, Governor Geo. C. Pardee was its ex officio chairman and was authorized to appoint an expert in taxation and public finance "to sit with said committee, and with said committee to constitute a Commission Upon the Revision and Reform of the System of Revenue and Taxation in Force in This State." Pursuant to this authorization the Governor appointed Carl C. Plehn as expert and at the organization of the commission the latter was elected its secretary.⁴

Ten meetings were held by this commission at various places in the State. Recognizing the value of stimulating the public interest and understanding of tax

¹ 1929 report, pages 247-291, inclusive.

² Statutes 1905, page 390.

³ Report of Commission on Revenue and Taxation in Statutes of California XI, 296 pages; page 4. Hereafter this report will be referred to as the 1906 report.

problems, in August, 1906, the commission published a preliminary report of 71 pages which was submitted to the members of the Legislature, sent to the newspapers and to all persons interested in the work of the commission. Effort was made to afford the several interests affected by the studies of the commission full and complete hearing.

From the very beginning of its work, the 1905 Commission on Revenue and Taxation announced a decision "not to search for or try to investigate untried or novel methods of taxation."¹ It seemed the consensus of opinion among the members of the commission that its recommendations should all be based upon "good American precedents."

In a summary of its findings the commission pointed out what it regarded as the principal faults in the old system and outlined the remedies recommended for their correction. At the outset, the view was expressed that the system then in force did not meet the demands made upon it because it had become antiquated and had not been revised to keep pace with the changing conditions. The commission's arraignment of the revenue system of that day contained these significant observations:

"It is full of inequalities, which impose a handicap upon the growth of the State, a handicap which only the vigor and inexhaustible energy of our people can carry.

"These inequalities twist and distort our industries and prohibit a symmetrical development of our resources. They place an undue burden upon agriculture especially; the foundation of our wealth, the one industry which most fully exploits the great natural resources of the State."²

Pointing out that the chief tax in the revenue system, called a *general* property tax, had in fact become a real estate tax, the commission said that only from 15 to 18 per cent of the entire taxes were levied upon personal property with the result that the amount of personal property on the tax rolls in 1905 was hardly larger than it was in 1872. It was further developed that money and credits escaped taxation almost entirely as did national banks, while State commercial and savings banks were taxed in a haphazard and unfair fashion.³

Further fault was found by the commission with the failure of equalization under the existing system and "the constant piling up of tax on tax on the same base." It was pointed out that if a city had a rate of \$1.00 which might be "reasonable enough, there often came on top of that a county tax of another dollar, a few special school taxes or a newer tax or a tax for bonds until the effects of any inequalities in the original assessment would be multiplied anywhere from two to fivefold. It was found that counties with relatively undeveloped resources often had high tax rates on relatively high valuations, while some of the richest counties enjoyed low tax rates on low valuations. It was felt that the addition of a State tax to these merely intensified inequalities which were almost unbearable in the first place."⁴

Objection was made to the taking of revenue derivable by taxation from large general organizations like the railroads which, in the view of the commission, belonged by right to the people of the State at large and distributing it "most inequitably among the local divisions of the State which have no proper claim to it whatsoever." It was said that under the old system equitable adjustment of the burden of taxation between different classes of corporations was impossible and that in general the system was "a school for perjury" putting a penalty on honesty and paying high premiums for dishonesty.⁵

To remedy these serious faults the Commission on Revenue and Taxation recommended as the first step in reform separation of State and local taxation as to sources of revenue. It was believed that this would take the burden of State taxation from real estate and save the owners of real estate about \$4,000,000 annually. Further advantages were found in the establishment of home rule in matters of local taxation and the abolition of any necessity for equalization between counties, thus curing the evils which State equalization failed to reach. The commission felt also that the new system would open the way for "a proper classification of the subjects of State taxation with a greater approximation to equality than is possible, without it."⁶

The final report of the commission was filed in December, 1906, and contained about 300 pages. It is a remarkably thoughtful and complete document and, despite modern trends in taxation which tend to discount anything not of recent origin, is still regarded as one of the most authentic and scholarly analyses ever made of the tax problems in an American state.

Following the presentation of this report the Legislature convening in 1907 acted favorably upon a proposed amendment to the constitution designed to carry out the recommendations of the commission. This amendment was voted upon by the people in 1908 and of the 202,081 votes cast upon the proposition, 87,977 were in favor of

¹ 1906 report, page 9.

² 1906 report, pages 9 and 10.

³ 1906 report, page 10.

⁴ 1906 report, page 11.

its adoption and 114,104 were against it. Four defects were pointed out and were said to have been the controlling factors in the defeat of the amendment. There were (1) the failure to provide the way for meeting any deficit which might occur in State revenues without again amending the constitution; (2) indefiniteness as to whether or not utilities would be exempt from payment of their share of bond taxes on indebtedness created prior to the adoption of the system of "separation of sources"; (3) omission to provide that a deficiency ad valorem tax would apply to property taxed for State purposes as well as to property taxed locally, and (4) failure to afford a means for changing any of the rates for State purposes in the event that it should later be discovered that they required adjustment. However, defeat of the proposition was not regarded as indicative of public satisfaction with the existing system or of absolute condemnation of the plan proposed as a substitute therefor.¹

Consequently, when the Legislature met in 1909 provision was made for the continuance of the Commission on Revenue and Taxation in order that its proposal might be revised to correct the defects believed to have been responsible for the initial defeat. Believing that the main work of the commission had been completed, Governor Pardee sponsored an amendment whereby the membership of the committee was reduced to three. As so reorganized that body consisted of Governor Pardee, as chairman, Senator J. B. Curtin and Professor Carl C. Plehn.² In September, 1910, the commission filed a report consisting of 77 pages and containing, among other things, a series of tables showing what the actual effect of the adoption of the proposed system of taxation would have been for the years 1905, 1908 and 1909. An amendment designed to meet the defects which were regarded as fatal to the plan as first submitted was endorsed by the Legislature and was placed upon the ballot for the consideration of the people at the general election in November, 1910. Basically, its objective was the same as the plan first submitted by the commission. It provided for the taxation of public utilities, such as railroads, gas and electric companies and telephone and telegraph companies, upon the basis of their gross receipts from operations. Special taxes were also provided for bank shares, insurance companies and corporate franchises. All these revenues were to go to the support of the State government, which would not be required to resort to a general property tax under normal conditions. Thus, a separation or segregation of sources of State and local revenues would be accomplished.

This proposition became known as Amendment No. 1. It was adopted by a substantial majority and forms the basis for the present tax system of California. Under it, revenues for State purposes have since been derived from sources other than the general property tax, the tax from which has been confined exclusively to local purposes, with the exception of a small tax for a few years levied to defray part of the expenses of the Panama-Pacific International Exposition at San Francisco in 1915.³

After the new system had been in force for some five years the Legislature convening in 1915 authorized another investigation of the general subject of taxation⁴ and Governor Johnson appointed as members of the State Tax Commission to make that study, Clyde L. Seavey, E. A. Dickson and Leo C. Gates. William V. Cowan acted as secretary of this body and in January, 1917, a report containing 280 pages was transmitted to the Governor.⁵ This report was preceded by an investigation covering a period of one year and four months comprehending the following salient features as listed by the commission:

A. Report upon all matters covering the subject of revenue and taxation in the State.

B. Report on the burden borne by general property and corporation property.

C. Report upon losses of revenue sustained by counties caused by the withdrawal of railroad property from general taxation.⁶

A large portion of the report of this body is devoted to a criticism of Amendment No. 1. Apparently, all that the Commission could concede in its favor was it had accomplished one specific thing—the separation of State and local revenues—and that it was an improvement over the old system so far as the separation of assessment of public utility property and franchises was concerned. Complaint was made that with the original rates the system would have resulted in financial paralysis of the State; that it had not brought about equality either as between the corporations and the people or as between the various classes of corporations; that it had not tended to correct the evil of undervaluation by counties; that it had not lightened the burden upon real property; that the provision requiring a two-thirds vote of each branch of the Legislature to increase rates was too stringent and that Amendment No. 1 had generally complicated the tax system by compelling "an altogether

¹ Report of Commission on Revenue and Taxation, Sacramento, 1910, 77 pages; pages 12, 13. Hereafter this document is referred to as the 1910 report.

² 1910 report.

³ Statutes 1913, page 432.

⁴ Report of the State Tax Commission of the State of California, 1917, Sacramento, California State Printing Office, 1917, 280 pages. Hereafter this document will be referred to as 1917 report.

⁵ 1917 report, page 7.

⁶ 1917 report, page 9.

unnecessary dual method of fixing tax rates on the property of public utilities—first, a rate according to property value and then a corresponding rate upon gross receipts.”¹

Concluding its observations with reference to the operation of the tax system the State Tax Commission suggested remedies which it said could be grouped in two main headings, thus:

First. Changes in the statutory law which permanently and substantially will strengthen tax administration, either under present constitutional provisions or under amendments which may in the future be made to the constitution.

Second. Changes in the constitution necessary to eliminate present defective provisions, and to allow the development of a permanent and sound taxation body.²

Need for budgetary control of public expenditures was stressed and full value assessment of property was advocated. There was also advocacy of a personal income tax which it was said should be levied in part as a substitute for the tax on personal property in the form of household furniture, workmen's tools and farm machinery, and as a means of reducing the burden on other forms of property locally taxed. Urgent haste in adopting such a plan was suggested, the commission assigning as its reason the novel proposition that “California should inaugurate this form of taxation before the source has been dried up because of the application of the federal income tax.”³ Abandonment of the system of taxation for which provision was made by Amendment No. 1 and substitution thereof of one of three alternatives were proposed by the Commission. These alternatives were described as follows:

First. Change the system back to the basis of assessment and taxation of property *ad situs*, all taxable property to be levied against for State and local purposes, but retaining central assessment of public utilities, franchises and other liquid forms of property and a central control of all assessments, leaving to the State the separate sources of revenues such as inheritance, license and franchise taxes, and giving to the counties and cities an income tax in place of a tax on certain types of personality.

Second. Adopt a true separation of State and local revenue, leaving the tangible property for taxation in the locality where it is situated, necessitating a central assessment of the physical property of public utilities and the central control of all assessment for proper equalization, leaving to the State the income tax and other forms of special taxes and fees.

Third. Eliminate the present restriction of the constitution giving the Legislature freedom of action in dealing with the entire revenue system.⁴

The third proposal was in fact previously attempted by a constitutional amendment which was defeated at a special election in October, 1915, but notwithstanding this the Commission expressed a definite preference for it. By an overwhelming vote the people had apparently indicated an unwillingness to leave the matter of taxation wholly in the hands of the Legislature, and since then no Legislature has seen fit to submit to the people an amendment designed to accomplish the purpose of this proposal.

No legislative action followed any of the recommendations of the 1927 Tax Commission, and there was an interval of ten years before the creation of another tax investigating body was authorized. In the meantime certain adjustments of the rates of taxation on utilities and others taxed under the plan of Amendment No. 1 were effected and the State Board of Equalization undertook the taxation of automotive carriers on a gross receipts basis comparable to that employed with reference to other transportation agencies. The automotive carrier tax was begun under a legislative act of 1923 and has continued since then with its application restricted to common carriers operative over regular routes or between fixed termini under a constitutional amendment adopted in 1926.⁵

There may be mentioned as the most significant development in the interim, the inauguration of the gasoline tax in 1923, the administration of which has been placed in the hands of the State Board of Equalization in conjunction with its other duties. This tax has produced a constantly increasing flow of revenue for road purposes. Because of its almost ideal distribution of the tax burden it has achieved a well deserved popularity.

In 1927, following a suggestion in the inaugural message of Governor C. C. Young, the Legislature authorized the creation of the California Tax Commission to make findings and conclusions concerning revenue matters. This body was expected to report its “recommendations as to necessary changes in the existing system of taxation” so that they would be available at the next legislative session. The Governor was authorized to appoint the Commission without limitation as to constituency or number.

The first meeting of the California Tax Commission was held in October, 1927. The Director of Research came to California in February, 1928, and during the

¹ 1917 report, page 9.

² 1917 report, page 123.

³ 1917 report, page 123.

⁴ 1917 report, page 130.

⁵ Article XIII, section 15, Constitution of the State of California.

month of March following, a series of public hearings was held at various places throughout the State.

As an emergency measure designed to meet difficulties in bank taxation arising out of federal restrictions on the power to tax national banks, the commission recommended in August, 1928, the immediate abandonment of the bank share and corporate franchise taxes then in force and the substitution of a method according to or measured by net income. A provision of the preferential tax on intangibles was included in the proposal which was endorsed at a special legislative session called in September, 1928, for that purpose. The constitutional amendment covering these changes was adopted by the people at the general election in the following November, and in 1929 legislation was passed to carry the new plan into effect. Its operation is discussed in detail elsewhere in this report. On March 5, 1929, the Commission filed its final report containing ten major recommendations of a far-reaching character with reference to the entire revenue system of the State.

The present Joint Legislative Committee on Taxation was thereupon created to analyze these recommendations of the Martin Commission of 1927, and to consider tax problems generally for the purpose of future report at the 1931 session.

For the personnel of the commission see page ---.

REPORT OF THE JOINT LEGISLATIVE COMMITTEE ON TAXATION.

Outline of procedure.

In order to ascertain and record the views of all interested bodies, this committee arranged a series of public hearings in various groups that discussions of particular taxation problems would take place.

At such meetings the fullest discussions were had and recorded in complete detail. These records form a part of the committee's working library.

In addition to oral presentations of their particular cases, many groups took advantage of the committee's invitation and presented written briefs. Many of these briefs were prepared by taxation experts of national reputation and have materially lessened the labors of this committee in ascertaining the viewpoint of the various taxpayers.

Shortly after the conclusion of these public hearings, the committee selected a technical staff which commenced work in June, 1930.

The committee realized that the time had passed when any single state, unaided by the experience of others, can hope to develop a modern, practical and just system of taxation. Accordingly, the committee's technical staff entered into correspondence with tax commissions throughout the country, various departments of the State and federal government and with all California assessors, exchanging views of mutual interest, receiving printed taxation reports and statistical data. Thus, a practical and modern working library of taxation literature has been acquired. The committee will have occasion to quote from these sources to substantiate certain findings as this report proceeds.

Considerable time was devoted to an intensive study of the 1927 commission's report and the various tables and statistical material contained therein. It is quite clear that the 1929 report condensed the present system of taxation in California in no uncertain terms. That Commission indicted the present system as antiquated and charged to the present method of raising revenue to the fault that it has no balanced relation to the fiscal needs of the State. The Commission gave up as useless any effort to establish a true equalization between common and utility property and, in short, recommended a complete change in the present system of State taxation.

This committee adds its corroboration to the 1927 Commission's charges of inequality in the tax burden and the inelasticity of the present tax system. The committee is of the opinion, however, that these faults may, in a great measure, be corrected without resort to a basic change in the State's general tax structure. Progress can and should be made in taxation methods, but changes should be brought about with reasonable certainty that they are practical and will result in adequate revenue to the State and its political subdivisions.

For example, the recommendation of the Martin Commission that the State abandon the gross receipts tax upon utilities contemplates an immediate and basic change in our existing State tax system. This committee believes that it would be practically impossible to put this major recommendation into execution without grave fiscal disturbance to various political subdivisions of the State as well as to private business.

This committee has been impressed with the thought that one outstanding difficulty connected with the taxation situation is the fact that the State has made no provision whereby adequate aid may be extended to local assessors in matters pertaining to research and administration.

Every assessor in the State in response to various questions sent out by this committee have called special attention to this particular need. This committee is further supported in this opinion by the members of the State Board of Equalization; by the records of the special commissions of inquiry in our own and other countries; by reports of the National Tax Conference, by the latest writings of such recognized tax authorities as Professor Edwin R. A. Seligman of Columbia University, Dr. H. L. Lutz of Princeton University, and others of equally high standing.

The tax reform program which this committee will suggest comprehends among other things specific recommendation calling for closer cooperation between local and State taxation authorities.

The ten recommendations of the Martin Commission will now be considered in detail.

COMMENTS ON THE MARTIN TAX COMMISSION'S RECOMMENDATIONS
ONE, TWO, THREE AND FOUR.

For convenient reference the first four recommendations of the Martin report are listed together, relating, as they do, to the suggested abandonment of that part of the system generally spoken of as "separation of sources."

The Martin Commission recommended:

First. That the operative real estate of all public utilities be valued by the State and then returned to the counties to be added to the local tax rolls and subjected to the same tax rates as are imposed upon the real estate of corporations and individuals.

Second. That a franchise tax be imposed by the State on all public utilities measured by their net income in the same manner and at the same rate as the similar tax on banks and other corporations.

Third. That the State levy a direct tax on property in general, including the real estate of public utilities, to make good any deficiencies in revenue which may arise after the adjustments herein recommended are made.

Fourth. That the personal property taxes of corporations now paid to the localities and then offset against the new franchise tax be abolished (suitable compensation being made to the localities for the loss of revenue involved) and that the rate of this franchise tax, applying to all corporations, banks and public utilities, be then increased from 4 per cent to 5 per cent, in case the experience during the next three years indicates that such an increase is desirable.

Recommendation of 1927 Commission on separation of sources.

Such recommendations collectively form the basis of the new proposed State system designed to supplant the present tax for State purposes upon the public utility corporations. In brief, it is proposed to value the operative real estate of all public utilities by the State and apportion such value between the counties and localities to be taxed locally as other real estate is there taxed; to also impose a franchise tax on such utilities for State purposes at the same rate and in the same manner as is imposed on banks and other corporations, and then also have the State levy a direct tax on all property, including the real estate of public utilities for any deficiencies that may be found to exist in State revenues. Under the tenth recommendation of the Martin Commission, it urged that the valuations be made by an appointive State Tax Commission.

Fiscal aspects of present system.

The present tax system, in so far as the raising of revenue for State purposes is concerned, has proved simple and inexpensive in administration; it has produced adequate funds for ordinary State needs; it has made available a surplus of approximately \$30,000,000. From the revenue producing standpoint it can not be declared unsatisfactory. The criticism that inequalities have developed between various classes of utilities and between various companies within the same class of utilities, might possibly be directed with equal force against any tax system. These inequalities can be eliminated or at least reduced to a practical minimum by allowing the Legislature greater powers of classification and reclassification. Furthermore, the criticism of inequalities between groups is more properly available to the companies that are affected by the present tax method, that is, the taxpayers themselves. In no instance has any group or company that has made its views known to this committee requested or urged the abandonment of the present system and, in each instance, where asked, has expressed opposition to the plan proposed by the Martin Commission. While this fact should by no means be controlling, it is at least significant that the taxpayers affected are not asking for a new system by reason of existing inequalities of tax burden among themselves. The present system has been definitely established from a legal standpoint; its revenues are ascertainable with reasonable certainty and the State's financial policy can be pursued with assurance of adequate funds.

Tax on utilities as a property tax.

The more serious complaint against the present system of State taxation has been directed toward the alleged discrepancy or inequality between the tax burden on common property for purposes of local taxation and that borne by public utility property for State purposes. In administrative and legislative theory and practice, the legal justification for the present utility tax, as determined by the courts, has been based on the premise that it is a property tax and that a dollar value of public utility property should bear and pay the same proportion of taxes that a dollar value of common property pays. The provision in our constitution for the levy of an ad valorem tax on all property,¹ including property of the public utilities,

¹ Subdivision (e) of section 14 of article XIII.

in the event of a deficiency in the gross receipts revenues for State purposes, further emphasizes the underlying principle that the gross receipts tax is essentially a property tax and that as such the utilities should bear an equal tax burden with common property. Attempts at equalization of tax burdens of these two general classes of property have been made from time to time. For instance, in 1920, the rate paid by common property, as found by the State Board of Equalization, was \$1.45 per \$100 of value. Tax rates on the gross receipt of utilities were increased in the year 1921 for the purpose, it was claimed, of equalizing the burden between utility and common property. In 1929, the State Board of Equalization found that the average burden on common property was about 1.80 per cent.¹ The 1927 Commission found it to be not definitely determinable, but somewhere between 1.52 and 1.73 per cent.² The rate of tax burden borne by the utilities differed from that borne by common property, in some instances being higher and in others lower. It is admitted by all that the tax burden should, as far as is possible to secure it, be equal between the two classes; but no attempt at a general equalization of burden on all utilities has been undertaken since 1921.

This problem must of necessity be considered from a state-wide viewpoint. A comparison of the tax burden on the operative property of utilities and on common property can only be based upon averages of the tax burden on property within each class. This study is usually made according to counties. From such averages, it appears that there are admittedly instances where the present system of separation of sources seems to operate to the disadvantage of the particular county with respect to the tax burden on common property in such county. Increase of State aid to general State functions such as schools may to some extent compensate such counties for the inequalities arousing complaint. A full consideration of the many factors necessarily incident to a complete change in the system of State taxation, as proposed by the 1927 Commission, and the possible resulting effect upon State revenues and the burden on local or common property forces the conclusion that the effect upon the State as a whole, rather than upon the certain counties, must be the controlling factor.

One of the declared primary purposes of the Commission's recommendations was to remove real estate from its present exposed position and not to place the increasing burden of government upon the owner of real estate, nor to increase the tax burden of the farmer and the small home owner.

No assurance can be given that the adoption of the 1927 Commission's recommendations would not, in all probability, produce the very result that all desire to avoid; and, which result, if known beforehand, would certainly cause its rejection. In other words, its operation might result in a lesser tax from public utilities as such, and a greater burden upon common property as such.

Difficulties of valuation.

The method of State assessment of operative utility real estate would require the valuation for assessment purposes of all real estate and improvements in the several counties, municipalities and districts where the same may be situated. It would not include the personal property of such public utilities. In fact, under recommendation fourth the personal property taxes of such corporations would be entirely abolished. Then, it is proposed, a franchise tax would be imposed in the same manner and at the same rate as is imposed upon banks and other corporations. In other words, what may be called the "unit" value or the total value of a utility (which combines with the value of all its tangible and intangible assets, its going concern value, to arrive at its actual value for State equalizing purposes) would be separated into the different elements or factors which constitute its actual value. The result to the counties might well be that the elimination of the personal property tax from utility corporations and the low yield from the franchise tax (especially if the real estate offset is to be allowed and continued, as now in effect in the Bank and Corporation Franchise Act, and the elements of deduction and depreciation are to be contended with) will cause the ultimate tax burden that the owner of common property would have to pay to local as well as to State government to exceed that which he is now paying to the support of local government alone. This is particularly true as the recommendations of the Martin Tax Commission while proposing that the personal property of all corporations should be exempt from both State and local taxation seem to imply that the individual besides State and local taxes on real estate would also pay taxes upon his personal property to both the State and local governments.

Probable increase in tax burdens.

The State has not found the most satisfactory method of taxing national banks. It is hoped that Congress will liberalize its present stringent provisions of such taxation. While the State may continue under the present system to tax national banks and corporations upon the basis of income, it seems inadvisable to place public utilities in the same class. With the real estate tax offset in the system and no previous experience to guide the Legislature, it might result in little or no revenue from

¹ Report of the California State Board of Equalization, 1927-1928, page 40.

² Report of the California Tax Commission, 1929.

this source for several years. In other words, the addition of the operative real property of utilities to the county tax rolls, under the plan proposed, carries no assurance that the tax burdens on common property in the counties will be lessened. It seems practically certain that the tax contribution from the public utilities would, by reason of the factors involved, such as elimination of personal property tax of utilities and low yield of franchise tax, be less than that now made by them. The burden would thus be transferred, in so far as deficiencies in revenue are concerned, to already overburdened real estate.

Should the farmer and home owner find his taxes increased by reason of the exemption of the personal property of the public utilities, and the failure or inability of the Legislature to impose an adequate revenue producing franchise tax on such utilities, as a result of the proposed change, they might well state that such a contingency should have been called to their attention before they voted upon the matter. This committee can not at this time give any reasonable assurance that if the plan of the Martin Commission was adopted such an increase in the tax burden on common property will not occur.

Recommendation of committee on separation of sources.

The effect of the adoption of 1927 commission's plan is so uncertain, particularly with respect to the tax burden now borne by real estate, and particularly the farmer and home owner, that this committee is unwilling to recommend the submission to the Legislature of any proposed constitutional amendment designed to make the same effective.

This committee accordingly recommends a retention at this time of our present gross receipts tax system in preference to the adoption of the Martin Commission plan. When Congress shall have amended section 5219 of the revised statutes so as to permit the several states to tax national banks in any manner that they may see fit as long as the burden on such banks does not exceed that borne by State banks and other corporations (so that the necessity of continuing the real estate tax offset will no longer exist) and the factor of depreciation is more definitely determinable, the Legislature may be in a better position to judge and pass upon the feasibility of the suggested plan. But with the grave uncertainties on the one hand as to the effect and operation of the proposed plan, particularly as to those classes upon whom it is least desired to place added taxes, placed, on the other hand, against the known operation of our present system, the committee is constrained to recommend the retention of the existing method rather than to change to one, the effects of which are uncertain.

Adjustments in tax rates of utilities.

The retention of our present system, however, involves the further consideration of whether the tax burden upon public utility property and upon common property has reached its limit or can such classes of properties carry added tax burdens as costs of government increase. It is generally conceded that real estate as taxed locally is not only carrying its full share but is in fact overburdened by taxes. It has not been determined, at least to the same degree, that all classes of public utility property have reached their full limit of taxation. In fact, the retiring Governor recommended in his last biennial message that the rate upon light and power and upon telephone companies be increased. Many contend that in the case of regulated monopolies the gross receipts tax is simply a sales tax upon service rendered and that the tax is shifted to the ultimate consumer and for this reason the tax rates on utilities should be kept as low as possible. This may be partly true. It must be recognized, however, that when competition enters, the entire tax burden imposed upon the utilities through the gross receipts measure is not thus transferred to the consumer, and the argument that the tax is shifted to the consumer is not a complete answer to a proposed equalization.

If it is determined, therefore, that in fact there is an unequal distribution of the tax burden of certain public utilities and that borne by common property, then the means of securing greater equality in tax burden as between these two classes of property is present by the method of adjusting the rates on utilities to conform to the average tax burden upon common property.

If the equalization of the tax rates on public utilities to the level of the tax on common property necessitates an increase that will produce more revenue than the State actually needs, then increased contributions by the State toward costs of local government should have tendency to reduce the tax burden of the counties to that extent. Such a reduction would result, of course, if the equivalent amount of money thus saved to the counties would not be in fact collected and spent for other purposes. In other words, it would be incumbent upon local taxpayers to see that the local tax rate would be reduced in proportion to the amount of the State's added contribution to activities formerly supported to a greater degree by the counties, rather than to allow the tax levy to remain the same and the money, intended to be saved, nevertheless collected and spent for new purposes.

Accordingly, when the time arrives (if it has not already) when utility property and common property are paying their full share of the cost of government, then new and additional sources of revenue must be found, if deficiencies exist, or if a general lowering of the tax burden on each class is to be attained.

Consideration of personal income tax and other proposed new sources of revenue.

Numerous methods and proposed schemes for tax limitation, gradual reduction of present tax burdens and new sources of revenue have been suggested.

Some suggest, as did the 1927 commission in its sixth recommendation, the personal income tax; others, the sales tax; others, a limited sales or luxury tax; still others, a severance tax; and some, the diversion of revenues now collected for special purposes into the general fund.

Effect upon tax rates of utilities.

The legal effect of any material change in the relative tax burden borne by common property as against that borne by the utilities, by the introduction of new taxes has not been determined. Should the State, for example, continue to tax utilities under the present method and divert all new sources of revenue to the localities? Again, it has not been determined whether the revenues from the proposed new sources could legally, under the State and federal constitution, be applied only to reduction of local taxes, or whether there must be maintained the general equality of tax burden between public utility and common property, thus necessitating a decrease in the tax rates upon public utilities in the proportion that the tax rates on common property had been lowered by receiving revenue from other sources.

If the rates upon utilities were decreased for this reason, it would necessarily mean that the State would have to receive some portion of the revenue derived from the new sources to make up for the loss it would sustain by a reduction in the tax rates on utilities.

Effect upon local taxpayers.

Nor has the committee had the means, time, nor opportunity to consider intensively the effect of the income tax, or sales tax or other forms of taxation upon our system. The experience of other states furnishes slight assistance. Those states that have the income tax now in effect are seriously studying and have commissions at work on the problems; whether such tax is in fact a substitute tax, resulting in a lessening of the tax burden upon real estate, or is simply an additional tax giving greater opportunity for increased expenditures with no benefit to real estate; whether new taxpayers are reached by the introduction of a personal income tax or taxpayers already paying heavy taxes upon their real property furnish the bulk of the income tax; whether or not a sales tax is to be urged as an added source of revenue to the income and property tax; whether or not the sales tax is one that is passed on to the consumer and to the one who is least able to bear it rather than the one who is best able to pay; as to what articles should be selected for the imposition of the so-called luxury sales tax.

The same situation prevails generally throughout the country and is receiving much attention by the officers of the National Association of Real Estate Boards. A research committee has been appointed, of which Professor Simeon E. Leland of the University of Chicago is in charge, with several assistants from different universities. He has been authorized by the national association to make a detailed study and report. The national association in this movement has secured the cooperation of the United States Building and Loan League, the National Association of Building Owners and Managers, and the Mortgage Bankers Association of America. The four points to be studied and reported on are as follows:

1. Are state income taxes a method of relieving real estate of some of its tax burdens?
2. Can sales taxes be used as a method of relieving real estate?
3. Are constitutional and statutory limitations on taxes and public indebtedness effective?
4. What miscellaneous city revenues can be developed to make the real estate levy more equitable?

The New York state tax survey commission is delegated to report to the 1931 New York legislature on the following subjects:

1. Whether real property can be relieved from any of the tax burden it now bears.
2. Whether the imposition of a sales tax is desirable.
3. Whether the laws relating to the taxation of personal income should be revised.
4. Whether taxation of industries under the existing system is detrimental to industrial development of the State.
5. Whether tax burdens may be distributed more equitably among the tax paying abilities and taxable objects.
6. Whether the laws relating to tax exemption should be revised.
7. Whether federal and State revenue systems can not be better coordinated.
8. Whether the methods of apportioning revenues collected by the State to the localities are best suited to existing conditions.

This demonstrates that California is not alone in its consideration of this problem. There is as yet no definite answer. Accordingly, the research bureau hereinafter recommended, if adequately provided for, may, in the course of its investigations and by the time the 1933 session of the Legislature convenes, furnish information and suggestions that will enable California to adopt a definite course based upon an accurate forecast which is not now available.

Other recommendations of 1927 commission.

The recommendations of the 1927 commission not specifically dealt with above may be briefly considered as follows:

Tax rates on gross premiums of insurance companies.

The fifth recommendation suggested a revision of the rates and elimination of the reinsurance deductions which the courts have in effect read into the constitution. A constitutional amendment would be required to include the reinsurance deductions in the tax base and also to abolish the deduction from the tax assessed for real estate taxes paid. Because of lack of proper information, this committee does not feel warranted in making any recommendations in the suggested revision in rates. This also applies to the present tax rates on short line railroads, light and power and gas companies, telephone companies, Pullman and refrigerator car companies. Such matters may properly be considered by the standing committees of the two houses of the Legislature when reports based upon the investigations of other State agencies are made available. The State Board of Equalization and certain departments of the University of California, have, during the past two years, investigated certain phases of this general subject matter and their reports thereon will undoubtedly be of material assistance.

Motor vehicles.

The seventh recommendation of the Martin Commission proposed that the present local personal property tax on motor vehicles be abolished and that the present State license tax of \$3 be increased sufficiently to reimburse the counties for loss of revenue involved. Substantially, such a proposal was submitted to the people at the last general election, known as Amendment No. 18.¹ It was defeated. It does seem, however, that proper legislation can and should be enacted which would effectively place such property upon the county tax roll and thus secure to the counties, at little expense, substantial revenues that now entirely escape legislation. Some form of cooperation between the local assessors and the State Motor Vehicle Department, it would seem, could readily accomplish this objective. The assessors of the State claim that over 400,000 automobiles escape taxation each year, with a consequent loss of local revenue of over \$3,000,000 annually.

Equalization of taxes on motor carriers.

The eighth recommendation of the 1927 commission suggests granting sufficient authority to the Legislature to equalize the taxation of motor carriers. It is apparent that motor carriers that are common carriers are paying a greater tax burden than those that are not, and it is suggested that further equalization of this burden be given consideration by the Research Bureau recommended herein. At the same time it is recommended that the revenues collected by the State under the gross receipts tax from common carriers be placed in the general fund for the general support of State government, the same as the revenues from other utilities. The gas tax paid indirectly by such carriers may well be considered the contribution of such utilities to the highway fund.

Inheritance taxes.

The ninth recommendation of the Martin Commission, relating to inheritance taxes, was adopted by the 1929 Legislature, and requires no further comment.²

State Board of Equalization.

The tenth recommendation of the Martin Commission suggests that the State Board of Equalization be abolished and that an appointive tax commission be appointed to administer the State taxes and value the real estate of the public utilities to be returned to the localities. Inasmuch as the committee does not recommend the basic change involved in the first four recommendations of the 1927 commission, and the adoption of such four are made dependent upon the adoption of the tenth recommendation, further comment seems unnecessary.

RECOMMENDATIONS OF JOINT LEGISLATIVE COMMITTEE ON TAXATION ON 1927
COMMISSION'S PLAN.

From the foregoing, the committee submits the following recommendations with reference to the recommendations set forth in the 1927 commission's report, and also recommendations with reference to the present system of taxation.

RECOMMENDATION I.

(a) That for the present the existing system of State taxation involving "separation of sources" be retained.

(b) That the Legislature be empowered to make such further classification and subclassification of utility groups taxable upon their gross receipts for State purposes as may be necessary in order to achieve a more equitable distribution of the tax burden.

¹ Senate Constitutional Amendment No. 18, Statutes 1929, page 2265.

² Statutes 1929, page 1834.

(c) That the State Board of Equalization extend its studies with respect to the average tax burden on common property and the tax burden on utilities in order that more accurate comparisons between the tax burden on common property and the property of utility groups may be ascertained.

RECOMMENDATION II.

(a) That a research department, consisting of technical experts in the fields of economics, valuation procedure and taxation, be created within the State Board of Equalization to operate under the coordinate control of the Governor, the Director of Finance and the State Board of Equalization, the function of which shall be to gather facts concerning all matters appertaining to revenue and taxation, and submit such facts and recommendations thereon to the Legislature.

(b) That the name of the State Board of Equalization be changed to that of the State Tax and Equalization Board.

Assistance to local assessors.

It seems advisable to have some agency of the State government permanently authorized and charged with the duties of collecting tax facts and data. A beginning of such an agency is recommended herein. Whether it shall ultimately be a new constitutional body enjoying a broad grant of powers which shall be appointive or elective may depend somewhat upon the system of taxation in effect.

Under the present system, the State Board of Equalization is almost wholly administrative. All policies are determined by the Legislature. The board collects facts as directed by the Legislature and administers the computation of taxes due from insurance companies, public utilities and motor vehicle fuel producers—our largest sources of revenue. No complaint has been made of its administration of such laws and no need has been shown for its abolition.

Certain details of administration of the local tax laws, particularly as to the matter of uniform and improved methods of local assessment and valuation, have suggested themselves to the committee. Great variation exists among the several counties of the State as to rate of assessment of real property to actual value; thus, in San Bernardino County, the 1927 commission, from data of the State Board of Equalization, found the ratio to be 26.3 per cent of actual value, San Diego 27.2 per cent; Humboldt 47.7 per cent; San Francisco 44.7 per cent; Sacramento 46.7 per cent; Placer 51.5 per cent, and Imperial 49.7 per cent. The attitude of the assessors themselves is expressed in a resolution adopted at their annual association at Los Angeles, September 24 to 27, 1930, as follows:

RESOLUTION.

"WHEREAS, The County Assessors' Association of California, recognizing the steadily increasing demand that exists for the revision of State laws relating to local taxation and assessment procedure, expresses the belief and conviction, that, before such revision can be intelligently undertaken, it is essential that facts concerning the present conditions insofar as local taxation and assessment procedure are concerned, be secured and

WHEREAS, The county assessors of the State of California are firmly of the opinion that any tax legislation based solely upon theory is a dangerous expedient, now, therefore, be it

Resolved, That the County Assessors' Association of California, in annual convention assembled, records itself as recommending the creation of an agency of the State government, to consist of men experienced in the practical administration of laws relating to local taxation and assessment procedure, and in the practical handling of the problems that administration of such laws impose—said agency under the direction of the elected officials, to be vested with the duty of assembling and compiling as directed, the basic facts which relate to local taxation laws and local assessment procedure, the said agency acting under such direction to devote its entire time to the study of local taxation and assessment problems, with the definite restriction of its powers to such task, said agency to have no powers, duties, functions or jurisdiction beyond assembling and compiling and reporting facts relative to local taxation and assessment problems, and be it further

Resolved, That the chairman of the legislative committee of this association be, and hereby is, instructed to transmit on January 5, 1931, duly authenticated copies of this resolution to His Excellency, the Governor of the State of California, the Lieutenant Governor, and the Speaker of the Assembly of the State of California."

Through such an agency it is believed that greater uniformity in assessing methods can be secured with the result that the determination of the average tax burden borne by common property as distinguished from public utility property can be determined with greater accuracy. Such agency might properly aid local assessors in an entire revision of the local assessment roll; the costs for such assistance to be paid by the State. Manuals for setting forth elements or factors and methods of valuation and assessment might properly be prepared by the State and furnished the assessors.

Research department.

To eliminate the recurrent necessity of interim special committees and special commissions, it is recommended that a research department be established in the State

Board of Equalization, the same to be under the coordinate control of the Governor, the Board of Equalization and the Director of Finance. This will grant representation from the important fiscal departments as well as the executive department of the State Government, a voice in, and impose a corresponding responsibility toward, securing the broadest character of information on the subject of revenue and taxation and should reduce the possible political aspects thereof to the minimum.

To such agency should be delegated the duty of considering and suggesting methods and means, where found necessary or advisable, to equalize the tax burden on various classes of property, of securing some effective reduction of taxes on real estate, the possible new sources of revenue for State and local purposes and the operation and effect thereof if in force in other states.

Name of State Board of Equalization.

The change in the tax system introduced as a result of the 1906 report changed to a considerable degree the functions of the State Board of Equalization. The name originally selected for the board was suitable for the character of its duty at that time, when its chief function was the equalization of assessments between counties. Due to the changes in methods of taxation, the State Board of Equalization at the present time performs little or no work of equalization. Its time is devoted to the administration of the tax on utilities, the tax on insurance companies, the tax on highway transportation companies and the tax on motor vehicle fuels. Its full equalization functions still exist but no need to exercise them is present in the absence of a deficiency in State revenues and the imposition of a deficiency tax for State purposes upon all property in the State. The present name is therefore a misnomer and it is recommended that the name be changed in keeping with the functions of the board to the "State Tax and Equalization Board."

RECOMMENDATION III.

That the constitution be amended to eliminate the requirement that the counties contribute an amount equal to the contribution of the State for elementary schools and a sum twice the amount contributed by the State for the support of high schools.

Elimination of restriction on State's contribution to schools.

It is recommended that the present provision in the State constitution requiring counties to match the State's contribution for teachers' salaries be changed so the ratio of contribution by the State and the county be not necessarily the same as now existing, such requirement providing, however, that such burden of which the county may be relieved shall be assumed and paid by the State, and not by the district.

As it now stands, the State constitution prevents the State from assuming a larger share of the cost of education without requiring the county to match the State's contribution. Such inelasticity is entirely without supporting reason and should not exist. If the State should desire to increase its aid to schools there is no sound basis for requiring the counties to do likewise.

RECOMMENDATION IV.

That the board of supervisors of the county wherein school districts are located be empowered to review and revise the budgets of school districts.

Review of school district budgets.

Much of the complaint that has reached the committee relative to the excessive tax burdens borne by real estate deals with the cost of the support of educational activities of the local government. The annual report of financial transactions of the State Controller for 1928 shows that at least 30 per cent of the budgets of counties is made up of items for educational purposes. These expenditures are augmented by municipal and district tax levies for the same purpose. The determination of whether or not these expenditures are too great would involve a study of the question of whether or not the present educational expenditures are justifiable. This task is beyond the purpose and power of accomplishment of this committee.

It seems, however, that taxpayers justly complain of the provisions of law which allow boards of school trustees to arbitrarily determine the amount of their budgets and require boards of supervisors of the counties to accept these budgets without power to review or revise them. The fairness of budgets for education purposes as well as for other purposes should be a matter within the jurisdiction of the board of supervisors and one in which the taxpayer ultimately paying the bill should be allowed a hearing.

It is therefore recommended that the board of supervisors of the county shall have the power to review and revise, for the purpose of reduction, the budget for all classes of elementary and high school districts and in such districts that are in two or more counties the board of supervisors of the county in which the greatest area of the assessed valuation of the district lies shall have jurisdiction for such review and revision.

RECOMMENDATION V.

That the Research Bureau, herein referred to, give consideration to devising ways and means to relieving the present excessive tax burden borne by homes, farms and all other real estate taxed locally.

Tax limitations.

No effective or satisfactory method of proposed tax limitation has been suggested to the committee which it feels warranted in recommending to the Legislature. If the limitation is placed upon the rate, the assessments are raised; if upon the assessments of value or increase thereof, the rates are raised. If limitation is placed upon both rate and value, the orderly functioning and progress of government may be halted, or strangled to an undesirable degree, and the right of self-government too seriously handicapped.

In several states, namely, Indiana, Utah, Iowa, and Kansas, the state boards or tax commissions, upon demand of comparatively few taxpayers may require that local budgets, including bond issues, be reviewed and approve or disapprove or modify the same. It is claimed that appeals to such board have been few, and that the plan has actually resulted in conservative budgets or bond proposals in the first instance. It seems improbable that the several communities of California would surrender such power to a State agency.

In New Mexico it is provided that no county, municipality or school district shall increase the tax levies in any one year in excess of 5 per cent of the total levy for the preceding year, except in case of certain emergencies, in which case it is presented to a certain state board for approval. For like reasons applicable to the so-called Indiana plan, the New Mexico plan seems unadaptable to California.

Further suggestions have been made by the California Real Estate Board and affiliated groups providing for a gradual reduction of the tax burden on real estate for State, county and municipal purposes, so that by 1942 real estate therein will be limited to pay not to exceed 50 per cent of the budgeted requirements thereof. Such a limitation would of necessity compel adoption of new or other forms of taxation to supply the deficiency thus created. If the 1927 commission plan should ultimately be adopted, or should the State return to the general ad valorem plan, then the reduction would become effective alike upon public utility real estate as well as upon common property. It is claimed that real estate now pays 80 per cent of the cost of local government. A reduction to 50 per cent would indeed be a substantial one; and, if this plan of limitation is applicable alike to public utility and common property, the amounts required to be raised from new or added sources would be large. While there is a manifest desire to relieve the tax burden on real estate, and, if possible, to put a practical limitation thereon, it seems doubtful whether the State at large would approve such a limitation if it must also apply equally to public utility real estate or be reflected by a substantial reduction in their taxes. If the present separation of sources plan is retained and the proposed limitation plan adopted, the question remains as to whether or not the added revenues which would have to be raised to meet the lessening of revenues from real estate taxes can be applied only to county or local purposes, or should be divided between State and local government. Other groups interested in this general question of reduction of the local tax burden on real estate locally taxed suggest that the State take over and pay the cost, or at least make greater contribution to, the support of certain activities, such as schools, so as to correspondingly lighten the tax burden on locally taxed real estate. If the additional contribution by the State would in fact reduce the local tax burden as it should, then it would appear that the tax limitation plan suggested by the California real estate group would not only be unnecessary, but would in fact be impracticable. It will require new sources of revenue yielding large returns if the burden on locally taxed real estate, as now taxed, and on present values, it is to be reduced from an 80 per cent contribution to a 50 per cent contribution annually: estimates place the figure in the neighborhood of \$900,000,000. Should the State take over such added functions and the proposed 50 per cent limitation become effective, it would be necessary to secure still added sources of revenues, either for the counties and municipalities to levy locally, or in the form of State collected monies to be remitted to the counties and municipalities. It would require the highest practical tax rates to secure sufficient revenues from all suggested sources of revenues, such as incomes and sales taxes, to meet the cost of added State participation, and under the proposed limitation, there would still remain a deficiency of 50 per cent of the local tax burden to be financed from sources other than a tax on real estate.

It would appear advisable for those interested to determine upon, if possible, and recommend some definite theory or principle upon which the State is to be asked to proceed, whether it be that the State take over and assume the cost of certain governmental activities, either in whole or in part, and thus lighten the local tax burden, or whether it be the levy of a State tax with refund to the counties and municipalities to accomplish the same result.

The two methods are inconsistent with each other and a choice must be made. Further considering this particular plan of limitation, it may be added that no definite proposals of legislation, as to the priorities of several tax levies, or the effect of overlapping invalid levies, have been suggested; nor has any definite suggestion been made as to a definite new source of revenue. Certain elasticity must be provided as to tax levies, for the functions of government must continue; and before a source of revenue is frozen, reasonable certainty as to sources and amounts of additional revenues should be available. The State should hesitate before fixing an arbitrary limit on one source of revenue when it does not know how the deficiency

resulting from the limitation is to be replaced. Accordingly, as this suggestion was made to the committee since January 1 last, and in view of its importance and the comprehensive effect thereof on State and local government, it is suggested that the matter of tax limitation be given special consideration and study by the research bureau herein recommended.

At a number of the hearings held by the committee in different cities of the State, individual taxpayers appeared and complained of the burden of taxes levied against their homes, farms and business properties. In every instance it was disclosed that the burden complained of was due to the aggregate taxes levied by county, city, and district authority, including not only taxes for ordinary governmental expenses, but also bills to meet payments for interest and principal upon bonds. In many instances special assessments added to the burden.

It is of these taxes that the average citizen complains most bitterly. They are direct taxes levied upon his real and personal property that are payable in a lump sum and can not be shifted. That the burden of local taxation is exacting and sometimes inequitable, the committee readily admits. Many suggested panaceas for the alleviation of this burden have been proposed to this committee, but none of these appears practical or workable. This committee believes that real estate should be in some measure relieved of the severity of the exaction now made from it. However, in view of the impracticability of the methods suggested the committee hesitates to express any recommendation for a definite plan of action to accomplish this purpose. This problem, more than any other, should be considered with the purpose of our entire tax system in mind. Following a full study of the research department recommended to be established in this report, some plan that is practical may be evolved. But in any case and under any system, the matter and amount of local taxes will remain largely a local question as assessments and tax rates are determined by local authorities. Only through rigid economy, careful scrutiny of proposed bond issues and restriction of special assessments and tax levies coupled with the courage to admit that many desirable things can not be afforded, can any appreciable reduction in local taxes be secured.

RECOMMENDATION VI.

That the Legislature of the State take appropriate action designed to secure an amendment to section 5219 of the revised statutes of the United States so that the State will be permitted greater latitude in the taxation of national banks.

BANK TAXATION IN CALIFORNIA.

Introduction.

Of particular importance in the problems confronting this committee has been the problem of taxation of banks in this State. It will be remembered that the State changed its method of taxation of banks by a constitutional amendment adopted in 1928, followed by legislation of the 1929 session of the Legislature. This committee would be happy to report that the legislation of the last legislative session proved efficacious as an equitable solution of the bank tax difficulty. The committee, however, is unable to do so. The present situation, with respect to bank taxation, calls for a critical analysis and a detailed presentation, in order that the Governor and the members of the Legislature may be accurately informed of the precise problem existing with respect to the tax status of these institutions, particularly existing legal difficulties and the tax burden of these institutions as compared with the burden of other taxpayers. To understand fully the present condition of banks in the State's revenue system it is necessary to sketch, briefly, the history of bank taxation in this State.

TAXATION OF BANKS BEFORE 1929.

Prior to 1910 banks were taxed upon their real property and the shareholders were taxed upon the value of their shares of stock by the local assessors. The 1906 Tax Commission found the method of taxation then existing to be very unsatisfactory. A case had been carried to the Supreme Court of the United States which had decided that, as between state banks and national banks, national banks were being discriminated against in the treatment.¹ The 1906 commission reported:

"Since that time (the decision in the case of *S. F. National Bank vs. Dodge*) national banks have been locally taxable only on whatever real estate they might hold. As the law discountenances the holding of real estate by these banks, save for bank premises, the taxes on this are a very small proportion of what is properly due from these banks for the benefits conferred upon them by the state and local governments. Some few of the national banks, realizing this, have voluntarily submitted to an assessment that they knew was not enforceable by law and have paid taxes thereon. The number of banks showing this conscientious and patriotic spirit is not large, nor has their generosity in this direction been carried to any quixotic length, as the amount they thus contribute to the support of governments is never very large, nor even approximately what should be required of them."²

¹ *San Francisco National Bank vs. Dodge*, 25 Sup. Ct. Rep. 384.

² 1906 report, page 229.

In view of this condition, part of the burden assumed by the 1906 Tax Commission was the devising of an adequate and legal method for the taxation of banks. To fulfill this function the commission of 1906 and its successor, the commission of 1909, included in the proposals for a unified tax system a complete plan for the taxation of national and State banks.

As national banks are agencies of the federal government, the power of a state to tax these institutions must be derived from permissive federal legislation. The national Congress has given the states this permission, the specific statute, title XIII, paragraph 548, sub-paragraph 1-b M. S. Code, more commonly, and hereafter referred to as section 5219 United States Revised Statutes.

At the time the 1910 commission's recommendation was enacted as law, section 5219 permitted only the real estate and shares of capital stock of national banks to be taxed.¹ The method thus followed by the commission was the so-called "share tax" method. This method of taxation comprehended that banks were to be locally taxed upon their real property and the shareholders of the banks were to be taxed by the State upon the value of their shares of stock.

The method of determining the value of each share of stock was fixed by the constitution as the amount paid in thereon, together with its pro rata of the accumulated surplus and undivided profits. In computing the total value of shares of stock the assessed value of real estate taxed for county purposes was deducted. The rate of tax upon this value at the time of the adoption of the amendment in 1910 was fixed at one per cent. During the history of the tax this rate was changed three times.²

The method of taxing banks inaugurated by the 1906 commission proved satisfactory for a period of eighteen years. In commenting upon the results of the system, the 1927 commission said:

"In general, the experience under the present plan of taxing banks has been good. The method provided is definite, and there has been no complaint of discrimination as amongst banks. The rates have been changed on three occasions, and although these changes, and particularly the change made in 1921, provoked considerable controversy, and although some of the bankers now feel that they are heavily taxed, it may be said the present method has given fair satisfaction both to the State and to the banks."³

From a revenue standpoint, particularly, the experience of the State between 1910 and 1928, in taxing banks upon their shares of stock proved satisfactory. The revenues derived under this system during the time it was in operation are shown by schedule "A."

THE 1928 AMENDMENT TO THE CONSTITUTION.

Early in its labors the Statutory Tax Commission of 1927 turned its attention to the matter of bank taxation. During the 1927 session of the Legislature, the Legislature had been forced to increase the rate of taxation on securities and solvent credits to avoid possible discrimination against national banks. The commission was of the opinion that the same decisions of the Supreme Court of the United States responsible for the 1927 legislative change in the tax rates on intangibles entirely condemned the California method of taxation of national banks.⁴ It is unnecessary to review here in detail the decisions of the United States Supreme Court which caused the 1927 commission to be concerned as to the legality of the California method of taxation and convinced the commission that the method was invalid. It is only necessary to remark that one of the restrictive conditions of section 5219—that the rate of tax on national bank shares can not be greater than the rate of tax upon competing moneyed capital—had been broadened by interpretations of the Supreme Court of the United States to the effect that mortgages and intangible properties were construed to be competing moneyed capital. In the opinion of the commission, the allowance under the California law of mortgage exemptions, preferential treatment of intangibles and the deduction of debts from the assessed value of solvent credits to individuals unjustly discriminated against stockholders in national banks when such stockholders were taxed upon the full value of their shares.

Within the last two years many cases have been decided by the federal courts holding the share tax method in other states to be invalid, because of one or more discriminating features, some of which, at least, were present in the California law prior to its amendment in 1929.

¹ 13 Statutes, 112. In 1906 the provisions of section 5219 read as adopted in 1868. The section as it then read was unchanged from 1868 to 1923. For a complete treatise on the subject, see *National Bank Taxation*, by Roger J. Traynor, 17 *California Law Review*, 83, 232, 458.

² The applicable constitutional provision was subdivision (c) of section 14 of article XIII of the constitution. This provision is still in the constitution.

³ In 1915 the rate was increased to 1.2 per cent, Statutes 1915, page 3; in 1917 the rate was reduced to 1.16 per cent, Statutes 1917, page 338; in 1921 the rate was increased to 1.45 per cent, Statutes 1921, page 201.

⁴ 1929 report, page 251.

⁵ Special report of the California Tax Commission, 1929 report, pages 250-264.

The situation was so patently critical to the Statutory Tax Commission that the commission argued that unless immediate action was taken by the State to solve the bank tax difficulty the State would have revenues in jeopardy amounting to \$22,050,000. The commission, therefore, recommended that the Governor call a special session of the Legislature to consider the problem. This was done. This session of the Legislature approved the submission of what is now section 16 of article XIII to the voters at the November 1928 general election. The people of the State adopted the amendment. The final step in the commission's plan of reform was the passage of legislation to carry into effect the new constitutional provision. This legislation was prepared under the direction of the commission and upon the recommendation of the commission was passed by the Legislature and approved by the Governor. The legislation became chapter 13 of the Statutes of 1929 and has the short title "Bank and Corporation Franchise Tax Act."

By section 16 of article XIII, the new method for the taxation of banks comprehends the taxation of banks according to or measured by their net income. The "according to or measured by net income" method is the method of paragraph (c) of section 5219, as amended in 1926. Section 5219 at the time the State adopted section 16 of article XIII read as it does now. The text of this section is set out below.

"Sec. 5219. The Legislature of each state may determine and direct, subject to the provisions of this section, the manner and place of taxing all the shares of national banking associations located within its limits. The several states may (1) tax said shares, or (2) include dividends derived therefrom in the taxable income of an owner or holder thereof, or (3) tax such associations on their net income, or (4) according to or measured by their net income, provided the following conditions are complied with:

1. (a) The imposition by any state of any one of the above four forms of taxation shall be in lieu of the others, except as hereinafter provided in subdivision (c) of this clause.

(b) In the case of a tax on said shares the tax imposed shall not be at a greater rate than is assessed upon other moneyed capital in the hands of individual citizens of such state coming into competition with the business of national banks; *provided*, that bonds, notes, or other evidences of indebtedness in the hands of individual citizens not employed or engaged in the banking or investments not made in competition with such business, shall not be deemed moneyed capital within the meaning of this section.

(c) In case of a tax on or according to or measured by the net income of an association, the taxing state may, except in case of a tax on net income, include the entire net income received from all sources, but the rate shall not be higher than the rate assessed upon other financial corporations nor higher than the highest of the rates assessed by the taxing state upon mercantile, manufacturing and business corporations doing business within its limits; *provided, however*, that a state which imposes a tax on or according to or measured by the net income of, or a franchise or excise tax on, financial, mercantile, manufacturing, and business corporations organized under its own laws or laws of other states and also imposes a tax upon the income of individuals, may include in such individual income dividends from national banking associations located within the state on condition that it also includes dividends from domestic corporations and may likewise include dividends from national banking associations located without the State on condition that it also includes dividends from foreign corporations, but at no higher rate than is imposed on dividends from such other corporations.

(d) In case the dividends derived from the said shares are taxed, the tax shall not be at a greater rate than is assessed upon the net income from other moneyed capital.

2. The shares of any national banking association owned by nonresidents of any state, shall be taxed by the taxing district or by the state where the association is located and not elsewhere; and such association shall make return of such shares and pay the tax thereon as agent of such nonresident shareholders.

3. Nothing herein shall be construed to exempt the real property of associations from taxation in any state or in any subdivision thereof, to the same extent, according to its value, as other real property is taxed.

4. The provisions of section 5219 of the Revised Statutes of the United States as heretofore in force shall not prevent the legalizing, ratifying, or confirming by the states of any tax heretofore paid, levied, or assessed upon the shares of national banks, or the collecting thereof, to the extent that such tax would be valid under said section."

PRESENT STATUS OF BANK TAXATION IN CALIFORNIA.

Legal aspects.

Certain aspects of bank taxation since the passage of the Bank and Corporation Franchise Tax Act required that the problem of bank and corporation taxes be considered jointly. This committee has reached the conclusion that the present method of taxation of banks in California is unsatisfactory both from a fiscal and

a legal viewpoint. This determination, however, has involved a consideration of section 5219 of the Revised Statutes of the United States, which statute is the State's sole authority for the taxation of national banks. After full consideration of the possible methods of bank taxation, the committee recommends that for the present the method of taxing banks, be retained, as it presents less legal difficulties than any other method. California's difficulties in bank taxation inhere in the rigid provisions of section 5219 of the Revised Statutes of the United States. Until this statute is amended, the State can not hope for greater latitude in the matter of taxation of these associations. In an attempt to secure an amendment to section 5219, the committee will submit its views by filing a brief with the Senate and House committees on Banking and Currency and by providing each member of the California delegation in Congress with a copy of the brief. The brief will express the legal problems involved in the taxation of national banks and for that reason will be printed as an appendix to the published report. Because of the statement of the problem therein, it is unnecessary to duplicate the discussion here.

FISCAL ASPECTS OF THE TAX ON BANKS "ACCORDING TO OR MEASURED BY NET INCOME" METHOD.

During the period that the Bank and Corporation Franchise Tax Act has been in operation, sufficient time has elapsed so that corporations and banks have been required to file at least two returns with the Franchise Tax Commissioner upon which a tax has been based. From the returns on file in the office of the Franchise Tax Commissioner a study has been made of the revenue contributed by banks to the State upon their net income. The returns were examined to ascertain for every bank doing business in this State the amount of federal net income; additions to federal net income; the amount of deductions from federal income such as federal income tax paid; the net income for State purposes; the amount of tax before offset; the amount of the offset and the resultant tax. After the completion of this investigation the office of the Franchise Tax Commissioner began an independent research to gather the same data.

COMPARISON OF REVENUE YIELD OF SHARE TAX AND INCOME TAX

There is a sharp diminution in the revenues paid by banks under the new method when compared with receipts under the former share tax. In 1928, under the share tax, banks paid over \$4,700,000 to the State in taxes. In 1929 the yield was reduced to less than \$550,000, and in 1930 the yield was less than \$908,000.¹

The 1927 commission, by inference from sample data which showed that banks paid 11.8 per cent of their net income in taxes under the share tax, while corporations paid 4.4 per cent of their net income in franchise and personal property taxes, determined that the tax on banks under the share tax was too high.² It was conceded by the commission that the new tax would substantially reduce the yield from banks, the commission estimate being that the new tax would yield one-third of the old tax without the real estate offset and about 1.1 million dollars with the real estate offset.³ Even with the substantial reductions predicted by the commission, however, the yield has not been up to expectations.

The first year of the income measure yielded about one-third of the tax paid by banks in 1911 when the share tax was first introduced and the rate was 1 per cent and only one-eighth the tax paid by banks in 1928, the last year in which the share tax method was in operation, and the rate 1.45 per cent. The second year of the income measure shows some improvement in the revenues derived as compared with the first year of the new tax, but the net yield still falls short of the revenues accruing under the share tax method. Revenues paid in 1930 by banks exceed the revenues paid in 1929 by \$343,000.

Despite the percentage of increase of the 1930 taxes over 1929 taxes, the contributions of banks to the support of the State government are rendered meager when compared with the tax accruing to the State from the same source in 1928 under the share tax method. The taxes paid by banks in 1930 are less than one-fifth of the taxes paid in 1928 under the former share tax.

THEORY OF THE BANK TAX AS A BUSINESS TAX.

It was the intention of the 1927 Tax Commission that the tax on banks, which they inaugurated, should be a forerunner for the modification of the theory of the property tax. It was intended that the property tax should be ultimately resolved into a tax upon real estate alone, and that proposed business and personal taxes should be developed and put into operation to supply revenues displaced by the abandonment of the property tax concept. This was one of the elements which the commission has in mind in presenting the method of taxation of banks and corporations under section 16 of article XIII.

As the other recommendations of the Tax Commission were not accepted by the Legislature, the system of taxation advised by the 1927 commission became effective

¹ See 1929 report, page 252, for yield of share tax. Figures for 1929 and 1930 taxes from office of Franchise Tax Commissioner.

² See tables III—3, page 270, and III—5, page 271, 1929 report.

³ 1929 report, page 239.

for banks and corporations alone. As a result, banks are the only type of corporate organizations in the State whose tax is not in some way related to their entire property holdings. Local taxes upon their real property are measured by the property standard, but the balance of their tax depends solely upon their ability to pay through use of the income measure. All other business enterprises and individuals are taxed under the benefit theory, upon their property, and must pay a tax upon the value of their property holdings, whether the ability is or is not present.

The present method of taxation, therefore, accomplishes the 1929 commission's desideratum for banks alone, and banks thus occupy a position of unique advantage in the State's tax system where they are taxed only upon their real property and by an excise tax, while all other corporations are taxed either directly or by a commutated tax upon their real property, their tangible personal property and upon their intangible assets (franchises) or by an excise measure.¹

In considering the relative merits of the property tax upon banks as comprehended by the share tax method and the present method of taxation upon the excise basis, it is to be observed that the share tax method had the advantage over the present excise measure—that banks were taxed upon the same basis, the basis of property, as all other taxpayers. Under this method of taxation every bank in the State contributed at least something to the support of the State government. The present system of taxation, founded upon the theory of ability to pay, instead of benefits received, in its practical operation has the effect of exempting many banking institutions from State taxation. Such a method could be theoretically justified if, instead of an exception, it was a component part of a coordinated system of taxation where every taxpayer was entitled to have some portion of his total tax burden measured by the ability theory. The effect, however, of setting banks up as a special class has had the result of rendering our tax system susceptible to the criticisms of other groups of taxpayers upon whom the State depends for much of its revenue.

In the face of such criticisms it is pertinent to note the comparison between the burden on banks under the excise tax and the burden on common property which theoretically is the basic common measure for the determination of tax rates.

RATIO BETWEEN 1928 TAXABLE VALUE OF SHARES OF STOCK AND 1929 AND 1930 TAXES.

	Taxable value of shares ² as of March 1, 1928	Taxes 1929	Ratio of 1929 taxes to value. Percentage	Taxes 1930	Ratio of 1930 taxes to share value. Percentage
National Banks----	175,600,000	316,402	00.17	549,176	00.31
State Banks-----	153,100,000	232,458	00.13	356,493	00.23
Total -----	328,700,000	548,850	00.15	907,669	00.27

The burden on common property was determined by the State Board of Equalization for the year 1928 to be 1.8 per cent on actual value. In 1929 under the "according to or measured by net income" tax the tax burden on taxable value of shares of stock in banks was only 8.3 per cent of this average burden on common property for 1928.³ In 1930 the tax burden on bank shares was only 15 per cent of the tax burden on common property. These figures assume, of course, that the tax on banks is not declared invalid insofar as income from tax-exempt sources is concerned.

Despite this disparity in tax burdens, the committee deems it inadvisable to increase the tax on banks at the present time. Until section 5219 of the United States Revised Statutes is amended, the present method of taxation for banks should be continued. The condition of this fourth method, that the tax rate on banks be not higher than that assessed upon other financial corporations nor higher than the highest of the rates assessed upon mercantile, manufacturing and business corporations, would require that if the rate on banks was increased, the rate upon corporations must be increased also. The committee does not feel that it would be sound policy to excessively tax all corporations in the State merely to increase the banks tax yield, particularly so, when industry is in such a depressed condition.

The suggestions that have been made for a change in bank taxation in the opinion of the committee can not be adopted with assurance. One of the suggestions is that the State return to the share tax method of taxing banking institutions. This, if held to be valid, would undoubtedly increase the revenue. In view of the decisions of the United States Supreme Court, however, it is felt that the method would allow national banks to claim discrimination on the ground that mortgages are exempt from taxation, intangible properties are treated preferentially, and a deduction is allowed from assessment on credits for debts due residents.

¹ The addition of section 18 to article XIII of the constitution will result, with the passage of legislation, in having one other type of business, namely—ocean marine insurers—excluded from a strict property tax basis. Under the amendment to the constitution business of this character will be taxed upon the basis of underwriting profits.

² Taxable value of shares is determined by dividing the taxes paid by national and State banks by the rate of 1.45 per cent. In 1928, taxes assessed by the State board amounted to 2.5 millions for national banks and 2.2 millions for State banks.

³ This is computed by dividing the average tax burden into the tax burden on the taxable value of bank shares.

The other possible solution that has been advocated is that the offset provisions in the Bank and Corporation Franchise Tax Act be abolished and that banks be taxed at a flat rate of 4 per cent, while corporations are taxed at a rate in the neighborhood of 2.25 per cent. The justification for this, it is argued, is that corporations pay personal property taxes which banks do not pay, and the personal property taxes paid by corporations could be used as a measure of comparison with the tax on banks in addition to the tax paid by corporations according to or measured by their net income. The committee feels, however, that such a method of taxation would be unknown in its effect upon corporations, and, further, would be subject to legal question as far as the validity of the tax on national banks is concerned as such associations might establish that corporations were being taxed at a lower rate. For these reasons the committee recommends that the present system of taxing banks be retained until an amendment to section 5219 of the Revised Statutes of the United States is adopted and the states are allowed greater latitude in the matter of bank taxation.

Withdrawal of right to file consolidated returns.

While the committee does not believe it advisable at the present time to increase the rate of tax on bonds, it does propose that our benefit now allowed to banks be withdrawn. This is the right of a bank to file a consolidated return with a non-banking corporate subsidiary. At the present time banks are allowed to file a consolidated return with an ordinary business corporation when there is an affiliation in corporate organization. The effect of this has been that banks are allowed to write off against their net income losses sustained by the subsidiary and, also, to take advantage of the offset provision by reducing its tax on account of local taxes paid by its subsidiary.

TAXATION OF CORPORATIONS.

The 1927 commission considered the problem of taxation of banks and corporations to be an interrelated one, and in its plans for the revision of the tax on banks, the problem of taxation of corporations formed an integral part.

Until 1929, corporations were taxed under the method proposed by the 1906 commission. The 1906 commission had found that the method then existing of taxing special franchises and general franchises of corporations by local assessors was entirely unsatisfactory. The 1906 commission carefully analyzed the subject, and its report contained explanations of the legal effect and economic incidents of such a tax that has not since been surpassed.

The 1910 commission successfully carried out the plans of the 1906 commission for the taxation of corporations and, until 1929, corporations, except the utility, bank, and insurance groups, were taxed under the provisions of Amendment Number One upon their franchise value as determined by the State Board of Equalization.¹

The commission of 1917 criticized the franchise method of taxation, but apparently did not believe that it was necessary to change the method as its recommendations contemplated that the franchise tax be retained as part of the State's tax system.² The franchise method of taxation continued until 1929.

THE 1929 COMMISSION'S RECOMMENDATIONS FOR A CHANGE IN THE FRANCHISE TAX.

The 1929 commission considered the franchise tax on corporations as a joint problem with the tax upon banks and prevailed upon the Legislature to treat both types of business enterprises in the same manner.

The reasons underlying the change by the commission are disclosed by the following excerpt from its report:³

"The trend in modern tax reform is distinctly away from the theory of the general property tax. Tangible property, or at least land and buildings, will doubtless continue to be taxed where located and without deduction for debts. In addition to such property taxation, there is rapidly being developed a system of business taxes imposed where the business activity is carried on, and measured by the earnings of the business or by some approximation thereto. In connection with its statistical study, the results of which are set forth later in this report, the commission's technical staff has subjected the present franchise tax to an exhaustive test with respect to its adequacy as a modern business tax, and measured by this test, as will be seen from the figures there presented, it is without merit. * * *

"The commission has a positive reason for suggesting a change in the form of the present franchise tax. It wishes to make it available for use as an element in the solution of the tax in operation leads to the conclusion that there are no strong reasons for preserving the present form of the tax. On the contrary, the proposed changes in the form of the tax may be expected to improve greatly its equity and general usefulness as a business tax."

¹ The appropriate constitutional provision was subdivision (d) of section 14, article XIII of the constitution.

² 1917 report, page 130.

³ 1929 report, pages 267, 268.

This excerpt from the special report may be considered to state the commission's theoretical and legal case justifying the treatment of the franchise tax as an emergency measure. The theoretical argument was that the trend in modern tax reform is distinctly away from the theory of the general property tax and as the franchise tax was a property tax it should be discarded; the legal argument was that the commission wished to validate the tax on banks.

Upon the whole, the tax upon corporations under the "According to or measured by income" statute has been satisfactory. It is true that including banks and corporations in the same tax statute presents questions which would not otherwise arise and in some respects make the taxing statute artificial in nature. These difficulties, however, can only be eliminated by having a distinct basis for the tax on banks and the tax on corporations. The present measure furnishes a satisfactory basis for the taxation of corporations and should be retained. Basic improvement in the act can not be made until a different method for the taxation of banks is provided by concessions from the federal government in the form of liberal amendments to section 5219 of the Revised Statutes of the United States.

The improvement of greatest merit that could be effected would be to have an established rate of tax for all corporations. This would necessitate the elimination of the offset for taxes on real and personal property paid to localities and a corresponding reduction in the amount of the tax rate. Under the provisions of the act at the present time, all corporations are taxed at the rate of 4 per cent according to or measured by their net income. On the amount of the tax thus determined, they are allowed an offset up to 75 per cent of the amount of the tax for taxes paid to localities but in no case can more than 10 per cent of real property taxes be used as an offset.

In other states where the offset feature has been a part of the tax statute, it has been abandoned for a straight tax on or according to or measured by net income. Four states, Mississippi, Missouri, North Dakota and Wisconsin have attempted to utilize this device but have found it to be unsatisfactory. In a publication by the National Industrial Conference Board, Inc., the history of the offset provision in these states is given.¹

"Four states, Mississippi, Missouri, North Dakota and Wisconsin, have experimented with provisions in their tax laws allowing the taxpayer to offset against the income tax the amount of property tax paid. In Wisconsin, the original act of 1911 contained a provision allowing the taxpayer to offset against the income tax the amount of personal property tax paid. The law was in effect until 1925, when it was repealed, leaving the income tax a part of the tax system separate and distinct from the personal property tax. Under the Wisconsin plan, the taxpayer paid the personal property tax when it exceeded the income tax and paid the income tax when it exceeded the personal property tax. The original intent of the Wisconsin legislature was to supplant the personal property tax with the income tax, but it was thought advisable to retain the personal property tax until the income tax had become established as a part of the fiscal system. It was further believed that the difficulty of administering the personal property tax would be overcome, since the taxpayer would pay the personal property tax in order to reduce the income tax.

"This system, no doubt, had some effect in increasing the valuations of personal property. Prior to its adoption, owners of personal property escaped the property tax. Under the 'personal property offset' plan, it was possible to exact some tax from all persons having any taxpaying ability, indicated by either property or income. However, when the owner of personal property had no income tax to pay because of allowable deductions from gross income, the incentive to pay the personal property tax was removed. Administrative difficulties were experienced with the Wisconsin provision, because (1) taxpayers desired to have personal property classified in real property, (2) many taxpayers prepared returns when no tax was due and thus incurred considerable expense to the state.

"A further objection to the use of the 'personal property offset' is the interference with the application of the progressive income tax rates. For example, assume that A receives \$10,000 net income from property, and B receives \$10,000 for personal services, and that A's personal property tax is equal to or less than his income tax. A and B will pay the same amount of tax, but A has greater taxpaying ability since a portion of his income is funded. If A's property tax should exceed the income tax, then it would work out so that A would pay a larger tax than B, although their incomes are equal. The personal property offset at least served one useful purpose in Wisconsin, and that was to insure revenues while the income tax was still in the experimental stage.

"North Dakota, probably influenced by the Wisconsin plan, introduced the 'personal property offset' in 1919. Objections similar to those in Wisconsin were raised and it was repealed after only a few years experience with it. Under

¹ State Income Taxes, volume 2, pages 88, 89.

the Missouri Act of 1917, the taxpayer was allowed to offset against the income tax both real and personal property taxes. The provision purported to substitute the income tax for the property tax for state purposes. The property offset so seriously affected the yield of the income tax that it was repealed after two years' trial."

Exact data in this State are difficult to obtain, but from the best evidence available, it seems that the offset provisions work to the advantage of the large corporations possessing large property holdings to the disadvantage of the small corporations that own little, or leases, business property. For the present, the offset provision can be justified as an expedient in that it insures to the State a minimum amount of revenue and requires each corporation to pay taxes either to the State or local government equivalent to the amount of taxes paid by national banking associations.

Allowance for depletion.

There are many changes which can be made in the statute at the present time which will tend to improve it. The chief of these is that the depletion allowance in the case of oil and gas wells be restricted to the allowance under the federal statute. At the present time, oil companies are allowed to compute their allowance for depletion either upon the basis of the Federal Revenue Act or under section 19 of the Bank and Corporation Franchise Tax Act. Under the provisions of section 19 of the Bank and Corporation Franchise Tax Act, January 1, 1928, is established as a basic date from which to measure gains and losses for property acquired prior to said date. Under the Federal Revenue Act the basic date is March 1, 1913. The use of the 1928 basic date has worked to the distinct advantage of oil corporations. Many of these concerns paid the minimum tax of \$25 because of the liberal depletion allowance they were able to take by using the January 1, 1928, value on their properties. It is therefore recommended that the act be amended so that the allowance for depletion in the case of oil and gas wells will be computed on the same basis as under the Federal Revenue Act of 1928. This the committee believes will result in increased taxes from these organizations to the extent of \$300,000.

Deficiency assessments.

Under the provisions of section 25 of the act, the Franchise Tax Commissioner has authority to assess a deficiency tax against a corporation whenever he determines that the tax disclosed by the original return is less than the tax disclosed by the examination by the commissioner. The only limitation of time to make this examination is that the commissioner make it "as soon as practicable after the return is filed." The Bank and Corporation Franchise Tax Act has not been in force long enough for serious questions to arise under the provisions of this section. It should be remembered, however, that the tax to be paid by corporations, is, under the act, a lien upon all the property of the corporation as of the first Monday of March. It is very possible that the title to the property of corporations may in many instances become clouded because of the failure of the corporation to correctly state the amount of its tax in original return and a deficiency assessment levied thereafter by the administrator of the act. Some limitation should be placed upon the time within which a deficiency assessment may be levied. This will insure to corporations that their tax liability has ended and no further taxes for the taxable year for which a return has been filed will be assessed.

Refunds.

Under the provisions of the Bank and Corporation Franchise Tax Act, where a tax has been illegally or erroneously computed, the corporation is entitled to a refund of the amount erroneously or illegally assessed. There is no limitation of time within which such refunds should be claimed. It is possible that due to suits now pending, corporations that have not protested their tax payments were entitled to a refund of such part of their tax. All such refunds bear interest at the rate of 6 per cent per annum. It is possible under this provision for a taxpayer not to contest the validity of certain provisions of the act but to allow other taxpayers to assume this burden. If such taxpayers contesting the act are successful, then all corporations having a similar question in their returns would be entitled to the benefit of the refund provision. This provision should be so reconstructed that before a corporation would be entitled to a refund it would be necessary for the corporation to file a protest and bring a suit upon the protest within a specified time.

Definition of "doing business," and other amendments.

The present definition of "doing business" in the act excludes many corporations from the tax provision of the act. The committee recommends that this definition be so revised that all corporations having the right to do business be included within the provisions of the statutes.

Other amendments of a minor nature should be made in the act which would strengthen the act and improve its administration. These include: the allowance of a deduction for federal income taxes, for only that portion of the tax payable upon California business, and a change of one month in the time for final suspension for nonpayment of taxes and the surcease of tax liability.

¹ Statutes 1929, chapter 13, section 25.

MINORITY REPORT OF ASSEMBLYMAN ISAAC JONES.

I find myself not in accord with the foregoing report in the following particulars:

First—Regarding the present system of separation of sources.

Second—Regarding a personal income tax law.

Third—Regarding the membership of the governing board of the Research Department if created in the Board of Equalization.

First. I can not join in the recommendation of the majority of the committee: "That for the present the existing system of State taxation involving 'separation of sources' be retained."

The author of that system, Professor Carl C. Plehn, in a statement to the 1921 Revenue and Taxation Committee of the Senate and Assembly, in joint session, declared that the system was never designed to carry the load being imposed upon it and that the plan of gross receipts taxes had broken down under the burden. The professor was speaking of the system in operation under the provisions of so-called Amendment No. 1. (I am writing from memory; probably I am not repeating the professor's exact words, but the essence of his statement is contained in the language I have used.)

I consider that Professor Plehn was justified in his statement to the Legislative committees in 1921 and I believe that the breakdown has become intensified in the years that have passed since the 1921 session.

The gross receipts plan of taxation or the "separation of sources of revenue under the provisions of 'Amendment No. 1,'" has not conformed to the requirements of good government; the greatest good to the greatest number. It has tended to place the greater tax burden where the load cannot properly be placed, and has lessened the load on taxpayers who justly should bear a heavier burden.

It was promised for Amendment No. 1 that, under its provisions, all future fiscal needs of the State would be met by the gross receipts tax on public utilities and that the result of writing this amendment into the constitution would be a reduced tax on real estate in the counties. These promises for its operation have not been justified.

Under the working of Amendment No. 1 the public utilities corporations have been relieved of all burden of local taxation, and it is justly claimed, the utilities have, to a very considerable degree, succeeded in passing the tax burden that properly belongs to them to the consumer of the utility. While the gross receipts plan of taxation in California has been a good plan for the corporations, it has not been a good plan for the common property owners.

At the same time, during the years that have passed since the adoption of Amendment No. 1, the State has increased the number and character of its functions and has imposed an unfair portion of this increased burden of maintenance upon the counties. An example of the burden unfairly imposed upon the counties is found in the matter of support of the schools, orphans' aid, the needy blind, and assistance for the aged. These are all matters of great importance and matters that should be fully supported, but the support should come from the State as a whole and not from the counties.

Of the great number of briefs received by this committee none was unqualified in praise of the present system; even those utility companies occupying a favored position at the present time admitted the faults and shortcomings of the system.

Under the tax system provided by Amendment No. 1 there can be no such adjustment of the rates as will impose even approximately a just and equitable burden of taxation between the public utility property on the one hand and common property on the other, between the property of the different classes of public utilities, or even between the property of different utility companies of the same class.

Further, in its operation, the tax system provided under Amendment No. 1 unjustly imposes an additional tax burden upon some of the counties of the State and with the same injustice lightens the tax burden upon other counties.

Under this system an equitable tax burden is impossible. This injustice to the counties was recognized at the time Amendment No. 1 was adopted and, because of this fact, the constitutional amendment contained the following provision: "Until the year 1918 the State shall reimburse any and all counties which sustain loss of revenue by the withdrawal of railroad property from county taxation for the net loss in county revenue occasioned by the withdrawal of railroad property from county taxation."

Commenting upon the loss sustained by the counties, the Tax Commission of 1917, page 126 of the report, said as follows:

"Another adjustment which it is necessary to make is that in the case of counties suffering because of the withdrawal of railroad property. If the present system of separation is continued, in all fairness it will be necessary to make adjustments with counties suffering net losses because of the withdrawal of all operative property of public utilities.

"Under the present provision of the constitution, adjustment can be made between the State and the several counties only for losses suffered on account of the withdrawal of the railroad property. (Provision not operative after 1918.)

"This commission has made a detailed study of this particular phase of the matter and recommends a change in the present method of determining the loss.

"Under the method adopted by this commission it was found that San Bernardino County, which is the heaviest sufferer, lost \$134,016.93 more than she had been reimbursed during the five years from 1911 to 1915.

"Figures on the other counties will be presented later during the session, if it shall appear that where a county has suffered on account of the withdrawal of operative property other than operative railroad property, adjustments of the loss should be made. There is no good reason why reimbursement should be made for loss sustained by the withdrawal of operative railroad property than for loss sustained by the withdrawal of other operative property.

"If a county has suffered loss in the past or should suffer loss in the future because of the development of public utilities, that loss should be in some way adjusted either between the State and the county or between the different counties themselves. There certainly is no justice in allowing one county to gain and another county to lose because of the present system of separation under Amendment No. 1."

Continuing on page 129 of the report, the Tax Commission of 1917 says:

"In approaching a possible solution remedying the evils which have been pointed out as existing under the present rigid provision in the constitution, it is hardly necessary to say that to leave the present system stand as it is would be an utterly irresponsible way of handling the matter. Such a procedure would lead to continued and greater inequality and injustice."

I believe that the portions of the report of the 1917 commission that I have here set out were printed in that document as the result of clear vision, and sound logic on the part of the commission. I believe that their finding in 1917 is applicable to the situation as it exists today. The Martin Commission of 1929 is in substantial accord with the report of the 1917 body. I am convinced that the conclusions set out in these reports are correct.

I therefore consider recommendations First, Second, Third and Fourth on page XXII of the Martin Commission report correct in theory and justified by fact, and that it is for the best interest of the taxpayers of the State of California that these recommendations be enacted into law.

Second. Recommendation No. 6 of the Martin report is as follows:

"Sixth. That the people of the State be given an opportunity to record clearly their desire regarding the substitution of a personal income tax for the present tax on intangible personal property and such other classes of personal property as it may prove desirable to eliminate from the tax base."

I believe the tax situation as it exists in California not only justified but emphatically demands that a personal income tax be provided. The constitution authorizes a personal income tax. The Tax Commission of 1917 suggested a personal income tax and the Martin Commission recorded a belief in the justice and equity of taxation that would come about with the enactment of a law providing for a well considered income tax.

The suggestion that California enact such a tax law will probably meet the opposition that enactment of personal income tax laws in other states has met. This is the same opposition that has been urged against forward-looking legislation of all time; "Stop!"; "Linger and wait!"; "It is premature!"; "It is inopportune!"; and "The time is not ripe!"

I believe that the people of California will approve a personal income tax. I am certain that the enactment of a personal income tax law will provide a more equitable spread of the tax burden. Therefore, I approve Recommendation No. 6 of the Martin Commission but feel that it does not go far enough and believe that the commission should have emphatically recommended that a personal income tax law be enacted for the State of California.

Third. I am of the opinion that the Research Department recommended to be established in the State Board of Equalization should be under the coordinate control of the Governor of the State, the chairman of the Board of Equalization, the State Controller, and the Director of Finance, sitting as a governing board of such department. Such controlling board, through the various offices of its members, would have a wide source of information as to all of the needs of the State, and in its personnel would include those individuals most familiar with, where and how facts necessary to full information concerning tax matters could be obtained. Every State taxing agency would be represented on this board and the contributions of each member in directing the activities of the research department should add to its efficiency and to the value of its work.

Aside from the exceptions noted, I am in substantial accord with the report of the majority of the committee.

ISAAC JONES.

REFERENCE OF BILLS ON UNFINISHED BUSINESS FILE.

Assembly Bill No. 109 referred to Committee on Municipal Corporations.

Assembly Bill No. 245 referred to Committee on Revenue and Taxation.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

By Senator Fellom: Senate Bill No. 893—An act to provide for the securing of payment by owners of private automobiles of damages for injuries to persons or property caused by the negligence of such owners, or their agents or presumptive agents, by requiring insurance, a surety bond, or a deposit of securities; to provide means and methods for the administration of said system of security; to substitute the rule of comparative negligence for contributory negligence in proceedings concerning such injuries; to provide for the form of insurance policies required hereunder, for the classification of risks covered by said insurance and for the application of the minimum rating law to such insurance; to prescribe penalties for violations of this act, and making an appropriation for the administration of this act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senators Baker and Cleveland: Senate Bill No. 894—An act to amend sections 9 and 10 of, and to add new sections numbered 9a and 10a, to chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the Registrar of Contractors and proceedings for suspension or revocation of licenses.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Slater: Senate Bill No. 895—An act authorizing the Governor of the State of California to select and engage the services of an educational research foundation or other organization engaged or organized to engage in the work of making critical surveys in the field of education to make a survey of the present system, plan of organization, and conduct of public education of higher than high school grade in the State of California and to report in writing the results of its survey with its recommendations, providing for the compensation of such foundation or other organization, making an appropriation therefor and for the payment of expenses incidental to carrying out the provisions of this act, and authorizing the Governor to accept gifts of money, property or services in furtherance of the work to be carried out as in this act provided.

Bill read first time, and referred to Committee on Education.

By Senator Jones: Senate Bill No. 896—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of the proceeds of said act, and repealing all acts and parts of acts

inconsistent herewith." approved May 30, 1923, as amended, and providing for the creation of the "Grade Separation Fund" and authorizing its expenditure in partially defraying the cost of the separation of grades at railroad crossings.

Bill read first time, and referred to Committee on Governmental Efficiency.

By Senator Jones: Senate Bill No. 897—An act to amend section 1161a of the Code of Civil Procedure.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 898—An act to add a new section to the Code of Civil Procedure, relating to the venue of actions for libel and slander.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sharkey: Senate Bill No. 899—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1913.

Bill read first time, and referred to Committee on Insurance.

By Senator Sharkey: Senate Bill No. 900—An act to amend the California Vehicle Act approved May 30, 1923, and as amended, by amending sections 99, 100, 100½, 101, 102, 103, 104, 106, 108, 110, 111, 111½, 130, adding thereto new sections to be numbered 106½, 111½, 111¾, 111½, relating to the use, operation and equipment of motor vehicles operated upon the public highways, requiring lights, reflex mirrors, light indicators, prohibiting certain lights, the sale thereof, the sale of motor vehicles equipped with unlawful lights, regarding the method and requirements for the testing of lights and signals, the approval thereof, authorizing the establishment of official head lamp and brake adjusting stations, and the enforcement of said act.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Sharkey: Senate Bill No. 901—An act to amend section 45½ of the California Vehicle Act, relating to chattel mortgages on motor vehicles or any other vehicle defined by said act, providing for the filing of a certified copy thereof with the Division of Motor Vehicles, registration of the holder as legal owner and the same being constructive notice of said mortgage and contents, excepting chattel mortgages from the provisions of sections 2957, 2959 and 2965 of the Civil Code.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Sharkey: Senate Bill No. 902—An act to amend the Workmen's Compensation, Insurance and Safety Act of 1917.

Bill read first time, and referred to Committee on Motor Vehicles.

By Senator Sharkey: Senate Bill No. 903—An act to add a new section to the Civil Code to be known as section 453q, relative to the registration of life insurance policies issued by assessment companies.

Bill read first time, and referred to Committee on Insurance.

By Senator Sharkey: Senate Bill No. 904—An act to repeal section 623 of the Political Code, relating to bonds of insurance companies.

Bill read first time, and referred to Committee on Insurance.

By Senator Sharkey: Senate Bill No. 905—An act to amend section 453½ of the Civil Code, relating to contracts of insurance upon the assessment plan.

Bill read first time, and referred to Committee on Insurance.

By Senator Sharkey: Senate Bill No. 906—An act to amend section 2.464 of the School Code.

Bill read first time, and referred to Committee on Education.

By Senator Sharkey: Senate Bill No. 907—An act to amend section 626½ of the Penal Code, relating to the protection of game.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Williams: Senate Bill No. 908—An act to impose a special tax and regulate sales and distribution in this State of moving picture films sold or distributed by any person, firm, corporation or association in this State, and to provide methods and penalties for the enforcement of such tax.

Bill read first time, and referred to Committee on Judiciary.

By Senator Riley: Senate Bill No. 909—An act declaring and establishing a State highway from Lone Pine in Inyo County to Baker in San Bernardino County, via Keeler, Darwin, Death Valley, Death Valley Junction and Shoshone.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Riley: Senate Bill No. 910—An act declaring and establishing a State highway from Lone Pine through Mount Whitney area, both in Inyo County, to Porterville, in Tulare County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator McCormack: Senate Bill No. 911—An act to amend section 9a31 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to librarians in counties of the thirty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator Young: Senate Bill No. 912—An act to regulate the transportation, sale or possession within the State of fish meal, fish flour, fish oil, canned, packed or processed fish or fishery products.

Bill read first time, and referred to Committee on Fish and Game.

By Senator McCormack: Senate Bill No. 913—An act to amend section 2322x31 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator McCormack: Senate Bill No. 914—An act to amend section 19x31 of the Juvenile Court Law, relating to probation officers in counties of the thirty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator McCormack: Senate Bill No. 915—An act to amend section 16x31 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator McCormack: Senate Bill No. 916—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

Bill read first time, and referred to Committee on County Government.

By Senator Young: Senate Bill No. 917—An act to amend section 3 of chapter 197, Statutes of 1909, entitled "An act to amend 'An act to regulate the vocation of fishing and to provide therefrom revenue for the propagation, restoration and conservation of fish in the waters of the State of California,' " relating to regulations of the Fish and Game Commission.

Bill read first time, and referred to Committee on Fish and Game.

By Senator Crittenden: Senate Bill No. 918—An act to amend section 9 of the "Bovine Tuberculosis Law" approved June 17, 1929, relating to the tuberculin testing of bovine animals.

Bill read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Harper: Senate Bill No. 919—An act to amend section 4233 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fourth class.

Bill read first time, and referred to Committee on County Government.

By Senator Bush: Senate Bill No. 920: An act to add a new section to chapter 189, Statutes of 1897, entitled the California Irrigation District Act, more specifically described as "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, Statutes 1897, page 254, as amended, relating to the powers of boards of directors of irrigation districts.

Bill read first time, and referred to Committee on Irrigation.

By Senator Waggy: Senate Bill No. 921—An act declaring and establishing a State highway between Bakersfield and Mojave in Kern County.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Rich: Senate Bill No. 922—An act to amend an act entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Ingels: Senate Bill No. 923—An act to amend chapter 794, Statutes of 1927, entitled "An act to provide for the acquisition or rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditures of funds for the construction, maintenance and improvement of State highway," approved May 26, 1927, Statutes 1927, chapter 794.

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Bush: Senate Bill No. 924—An act to amend chapter 794, Statutes of 1927, entitled "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of State highways, classifying the highways in the State system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of State highways."

Bill read first time, and referred to Committee on Roads and Highways.

By Senator Inman: Senate Constitutional Amendment No. 20—A resolution to propose to the people of the State of California an amendment to the constitution of the State of California, by amending article VI thereof by adding thereto a new section to be known as and numbered section 8½, relating to the retirement of judicial officers, and their designation for service thereafter as extra service judges.

Referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, January 23, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 7—Relative to memorializing Congress to adopt legislation consenting to the construction, maintenance and operation of a toll bridge across San Francisco Bay and granting a right of way therefor across Yerba Buena Island;

Also: Senate Concurrent Resolution No. 13—Relative to joint rules of Senate and Assembly;

Also: Senate Concurrent Resolution No. 16—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a general State election held therein on the fourth day of November, 1930;

Also: Senate Concurrent Resolution No. 20—Relative to the California State Fair and Western States Exposition;

Also: Senate Concurrent Resolution No. 21—Relative to the publication of a new edition of the constitution of the State of California, the constitution of the United States and other documents for use in the public schools of the State;

And reports that the same have been correctly enrolled and presented to the Governor on the twenty-third day of January, at three o'clock and thirty minutes p.m.

RILEY, Chairman.

RESOLUTION.

The following resolution was offered:

By Senator McKinley:

Resolved, That a committee of three be appointed by the President of the Senate to notify the Governor that the Senate is ready to adjourn for the constitutional recess, and to ask if he has any further communications to transmit to the Senate.

APPOINTMENT BY THE PRESIDENT.

In accordance with the above resolution, Senators McKinley, Crittenden and Allen were named by the President as the committee to inform the Governor that the Senate is ready to adjourn for the constitutional recess, and to ask if he has any further communications to transmit to the Senate.

RESOLUTION.

The following resolution was offered:

By Senator Sharkey:

Resolved, That a committee of three be appointed to notify the Assembly that the Senate is ready to adjourn for the constitutional recess, and to ask if the Assembly has any further communications to transmit to the Senate.

APPOINTMENT BY THE PRESIDENT.

In accordance with the above resolution, Senators Sharkey, Mixter and Schottky were named by the President as the committee to inform the Assembly that the Senate is ready to adjourn for the constitutional recess, and to ask if the Assembly has any further communication to transmit to the Senate.

REPORT OF COMMITTEE.

Senator McKinley, as chairman of the committee appointed to wait upon the Governor and inform him of the readiness of the Senate to adjourn for the constitutional recess, reported that His Excellency had informed the committee that he had no further communication to transmit to the Senate.

REPORT OF COMMITTEE.

Senator Sharkey, as chairman of the committee appointed to inform the Assembly of the readiness of the Senate to adjourn for the constitutional recess, reported that the committee had delivered the message of the Senate and had been requested by the Assembly to inform the Senate that the Assembly had no further communication to transmit as they were prepared to adjourn for the constitutional recess.

APPROVAL OF JOURNALS.

The Senate Journals of Monday, January 5; Tuesday, January 6; Wednesday, January 7; Thursday, January 8; Friday, January 9; Monday, January 12; Tuesday, January 13; Wednesday, January 14; Thursday, January 15; Friday, January 16; Monday, January 19; Tuesday, January 20; Wednesday, January 21 and Thursday, January 22, were, on motion of Senator Breed, approved as corrected.

MESSAGE FROM THE ASSEMBLY.

At three o'clock and fifty-five minutes p.m., a committee from the Assembly, consisting of Messrs. McDaniel, Scudder and Stockwell, appeared at the bar of the Senate and announced that the Assembly had no further communications to submit to the Senate, and was now prepared to adjourn for the constitutional recess.

APPROVAL OF THE MINUTES.

The minutes of this day, Friday, January 23, 1931, were read and, on motion of Senator Breed, approved as read.

ADJOURNMENT.

Thereupon at four o'clock p.m., on motion of Senator Breed, in accordance with the provisions of Assembly Concurrent Resolution No. 3, Lieutenant Governor Frank F. Merriam, President of the Senate, declared the Senate adjourned for the constitutional recess, to reconvene at eleven o'clock a.m. on Tuesday, February 24, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, February 24, 1931.

Pursuant to the provisions of Assembly Concurrent Resolution No. 3, the Senate reconvened at the hour of eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Minute Clerk Harold J. Powers at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—33.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

LEAVES OF ABSENCE.

Senator Nelson was, on motion of Senator Breed, granted leave of absence for this day.

Senator McKinley was, on motion of Senator Breed, granted leave of absence for this day.

Senator Carter was, on motion of Senator Rochester, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Andrew Sheveland of Vallejo.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge F. I. Fitzpatrick and Judge Ed Shorthall of San Francisco County.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Emmett Seawell, Associate Justice, Supreme Court.

On request of Senator Rochester, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Presiding Judge John L. Fleming and Superior Judge Joseph Sproul of Los Angeles County.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Theresa Thomas and Loren Thomas of Hollywood.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

Resolved, That the following named persons previously elected to the statutory offices set forth below be and the same are hereby directed to reassume their official duties. The compensation set opposite their names is to be payable weekly and the Controller is hereby directed to draw his warrants for the said amounts, and the Treasurer is hereby directed to pay the same:

Harold J. Powers, Minute Clerk	\$9 00 per day
Rev. Sherman L. Divine, Chaplain	4 00 per day

Resolution read.

Senator Swing moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Inman, Maloney, McCormack, Mixter, Moran, Rich, Riley, Schottky, Sharkey, Slater, Wagy, Williams, and Young—24.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senator Jones:

Resolved, That the President of the Senate appoint a special committee of three to notify the Governor that the Senate has reconvened after the constitutional recess, in accordance with Assembly Concurrent Resolution No. 3, and is now ready to receive any communication he may have to make.

Resolution read, and on motion of Senator Jones adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

Pursuant to the provisions of the above resolution, the President announced the appointment of Senators Evans, Jones and Allen as a special committee to notify the Governor that the Senate had reconvened.

RESOLUTION.

The following resolution was offered:

By Senator Hays:

Resolved, That the President of the Senate appoint a special committee of three to notify the Assembly that the Senate has reconvened after the constitutional recess, in accordance with Assembly Concurrent Resolution No. 3, and is ready to proceed with the business of the State.

Resolution read, and on motion of Senator Hays adopted.

APPOINTMENT OF SPECIAL COMMITTEE.

Pursuant to the provisions of the above resolution, the President announced the appointment of Senators Hays, Pedrotti and Ingels as a special committee to notify the Assembly that the Senate had reconvened.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in the sum of \$300 in favor of the Secretary

of the Senate, and the Treasurer is hereby directed to pay the same, the same being for postage for the Senate.

INGELS, Chairman.
WILLIAMS.
MALONEY.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Edwards, Fellom, Harper, Maloney, McCormack, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—23.

NOES—None.

APPOINTMENTS BY THE SECRETARY.

The following communication was received and read:

SENATE CHAMBER, SACRAMENTO, February 24, 1931.

*To the President and Members of the Senate
of the State of California.*

I have the honor to inform you that I have this day appointed Paul Mason to the position of Assistant Secretary and Clerk of the Committee on Printing at a per diem of \$9.00, and James L. Gardiner, Assistant Secretary at a per diem of \$7.00, and Francis Dalin, Assistant Secretary at a per diem of \$7.00, and respectfully ask the consent of the Senate thereto.

J. A. BEEK, Secretary of the Senate.

Senator Breed moved the appointments be confirmed by the Senate.

The question being upon the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—25.

NOES—None.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, February 3, 1931.

To the Senate of the State of California.

Senate Bill No. 204 is returned without my approval. The purpose of the introduction of this bill is to provide for bridges across navigable streams, estuaries, ponds, swamps, or arms of bay that might be outside of the line of navigable waters.

The act provides that all bridges so constructed thereunder shall be free public bridges and that no tolls shall be charged for crossing the same.

There appears to be a conflict between the existing Toll Bridge Act and Senate Bill No. 204 which may be rectified when the Legislature reconvenes, and everyone interested agrees that the bill should be corrected and they will assist in eliminating the conflict.

I attach hereto a copy of an opinion to me on the subject from the Chief Engineer, C. H. Purcell, upon which this nonapproval of the bill is founded.

JAMES ROLPH, JR., Governor.

COMMUNICATION.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS, January 28, 1931.

Governor James Rolph, Jr., State Capitol, Sacramento, California.

MY DEAR GOVERNOR: A careful check of Senate Bill No. 204, entitled "An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters," has been made, and which has developed the following facts:

The last section of sentence 2, page 3, provides "All bridges constructed under the provisions of this act, shall be free public bridges, and no tolls shall ever be charged for crossing the same, and no such free county bridge over a navigable stream, or navigable bay, or navigable estuary or pond shall be constructed within five miles of any toll bridge over such streams, bay, estuary or pond." This matter of five miles would enable a bridge to be constructed in the vicinity of Hunters

Point, and if constructed as a free bridge would seriously affect the successful financing of the San Francisco Bay Bridge by the revenue bond method.

At a critical time when financing negotiations were under way, the starting of a free bridge movement at this point would have a serious effect and possibly would preclude the possible marketing of these securities. It is suggested that this bill be amended, increasing the permissible distance from a toll bridge, which can be accomplished immediately after the convening of the second half and passed as an emergency measure, the same as the present bill.

Accordingly, to fully protect the San Francisco Bay Bridge situation, I believe this particular bill should be vetoed and passed as amended in accordance with the above suggestion.

Yours very truly,
(Signed.)

C. H. PURCELL, State Highway Engineer.

SUSTAINING GOVERNOR'S VETO.

The question being: Shall Senate Bill No. 204 become a law notwithstanding the objections of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Baker, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Edwards, Fellom, Harper, Inman, Maloney, McCormack, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, Williams, and Young—24.

RESOLUTIONS.

The following resolutions were offered:

By Senator Swing:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons for the said respective amounts, and the Treasurer is hereby directed to pay the same:

L. Williams, Assistant Secretary.....	\$7 00	per day
Thomas Bickmore, Assistant at Desk.....	5 00	per day
Julian Lindsay, Assistant Minute Clerk.....	7 00	per day
John P. Rice, Assistant at Desk.....	5 00	per day
Donald Bruce, History Clerk.....	7 00	per day
W. A. Yarwood, File Clerk.....	7 00	per day
Carrie A. Garrison, Journal Clerk.....	7 00	per day
Robert M. Wilson, Engrossment and Enrollment Clerk.....	7 00	per day
Gertrude Rettig, Assistant Engrossment and Enrollment Clerk.....	5 00	per day
Clarence Prentice, Assistant at Desk.....	5 00	per day
Dorothy Hurley, Mailing Clerk.....	4 00	per day
Irene Silva, Stenographer.....	5 00	per day
Blanche Garrigan, Stenographer.....	5 00	per day
May Berman, Stenographer.....	5 00	per day
Clara Lossman, Stenographer.....	5 00	per day
Dorris Pearl, Stenographer.....	5 00	per day
Josephine Pewterbaugh, Stenographer.....	5 00	per day
Larry Allen, Stenographer.....	5 00	per day
Verda Roberts, Stenographer.....	5 00	per day
Agnes Shearer, Stenographer.....	5 00	per day
Neva M. Gregg, Stenographer.....	5 00	per day
Wanda Durkee, Stenographer.....	5 00	per day
Helen Church, Stenographer.....	5 00	per day
Julia Hayes, Stenographer.....	5 00	per day
Dorothy Burke, Stenographer.....	5 00	per day
Patricia Lang, Stenographer.....	5 00	per day
Elizabeth Pedrotti, Stenographer.....	5 00	per day
Winifred Elliott, Stenographer.....	5 00	per day
Verna T. Endicott, Stenographer.....	5 00	per day
W. F. Reed, Clerk Judiciary Committee.....	6 00	per day
Geo. Jackson Claire, Clerk Finance Committee.....	6 00	per day
M. H. McCarthy, Assistant Sergeant-at-Arms.....	5 00	per day
J. A. Roberts, Assistant Sergeant-at-Arms.....	5 00	per day
Harry Jordan, Assistant Sergeant-at-Arms.....	5 00	per day
Theodore LaFayette, Assistant Sergeant-at-Arms.....	5 00	per day
M. G. Nicoll, Assistant Sergeant-at-Arms.....	5 00	per day

Harry Caro, Assistant Sergeant-at-Arms.....	\$5 00 per day
W. M. Youngman, Assistant Sergeant-at-Arms.....	5 00 per day
Lena A. Redding, Postmistress.....	4 00 per day

Resolution read.

Senator Swing moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagye, Williams, and Young—32.

NOES—None.

By Senator Swing:

Resolved, That Ruth E. Hopps be transferred from the position of stenographer at \$5.00 per day to the position of chief stenographer at \$6.00 per day, and the Controller is hereby directed to draw his warrant for the said amounts, payable weekly, and the Treasurer is hereby directed to pay the same.

Resolution read.

Senator Swing moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagye, Williams, and Young—32.

NOES—None.

REPORTS OF SPECIAL COMMITTEES.

Senators Jones, Evans and Allen, the special committee appointed to notify the Governor that the Senate had reconvened and was ready to receive any communication he might desire to make, reported that His Excellency had advised the committee that he was pleased to note that the Senate had reconvened, and that he had no communication to present to the Senate at this time.

Senators Hays, Pedrotti and Ingels, the special committee appointed by the President to notify the Assembly that the Senate had reconvened and was ready to receive any communication the Assembly might make, reported that they had communicated with the Assembly as directed.

MESSAGE FROM THE ASSEMBLY.

Messrs. Riley, Feigenbaum and McDaniel, a special committee from the Assembly, appeared before the bar of the Senate, and notified the Senate that the Assembly had reconvened, pursuant to Assembly Concurrent Resolution No. 3, adopted on January 21, 1931, and is ready to proceed with the business of the State, with all officers heretofore elected present, to wit:

Speaker.....	Honorable Edgar C. Levey
Speaker pro tempore.....	Honorable Chester M. Kline
Chief Clerk.....	Arthur A. Ohnimus
Minute Clerk.....	Louis F. Erb
Chaplain.....	Reverend Lawrence Wilson
Sergeant-at-Arms.....	Arthur Ferguson

USE OF SENATE CHAMBER GRANTED.

Senator Ingels moved, seconded by Senator Breed, that the use of the Senate Chamber for this afternoon be granted for a meeting of a

delegation from Lake County with Governor James Rolph, Jr., for the purpose of considering Senate Bill No. 16.

Motion carried, and such was the order.

ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Wednesday, February 25, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, February 25, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators—Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, February 24, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator McKinley was, on motion of Senator Breed, granted leave of absence for this day.

Senator Carter was, on motion of Senator Rochester, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Edwards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to D. G. Clayton, county clerk of Orange County.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to G. G. Halliday, county clerk of Solano County.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Meredith P. Snyder of Modesto, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Frank De Carlo and Mr. A. Coffin of San Francisco.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to P. J. Thornton, county clerk of Merced County, and Mrs. P. J. Thornton.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ross F. Taylor of Downieville, California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. W. F. Mitchell of Sacramento.

On request of Senator Moran, the privilege of the floor of the Senate Chamber for this day was unanimously extended to pupils of Orland High School as follows: Helen Baker, Ann Berlinger, Kenneth Goblet, Ivy Hills, Margaret Mitchell, Etty Peterson, Mina Province, Odessa Hinz, Frank Hughes, Ardys Johnson, Pauline Kronsbein, Merle Masterson, Lorene Masterson, Maroldine McCubbin, Ruth McGinty, Iohla Schnell, Evelyn Seevers, Arlene Westaby, and faculty advisers Vera Stephenson and Marjorie Hench.

RESOLUTION OF RESPECT BY SENATOR SLATER.

Senator Slater addressed the Senate respecting the death of former Senator Charles H. V. Lewis, and presented the following resolution:

WHEREAS, The Senate of the State of California has, since the adjournment, lost through death, one of its most beloved and respected members; and

WHEREAS, Senator Lewis was a kindly man and one who always took interest in public welfare. Simplicity and kindness were outstanding in his makeup; therefore, be it

Resolved, That when this Senate adjourns today, it do so out of respect to the memory of former Senator Charles H. V. Lewis; be it further

Resolved, That this resolution be printed in the Senate Journal and copies of the resolution be sent to his wife and daughter showing our respect for our deceased member and colleague.

Resolution unanimously carried by a rising vote of the Senate.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, February 24, 1931.

*To the Honorable Members of the Senate of the State of California,
State Capitol, Sacramento, California.*

GENTLEMEN: I transmit to you a report made to me today titled "Report of Governor Rolph's Water Conservation Committee," which I trust will be pleasing in its efforts and useful in your deliberations of the State's water responsibilities.

During your recess the officials, whose names are attached to the report, with members of the Legislature held conferences with me and I commissioned the delegation to proceed to Washington in order to have their report ready for you on the opening day of your return from recess.

There are no expense bills confronting you.

With my compliments,

Very sincerely and respectfully yours,

JAMES ROLPH, JR., Governor of California.

REPORT OF GOVERNOR ROLPH'S WATER CONSERVATION COMMITTEE.

STATE OF CALIFORNIA, DEPARTMENT OF PUBLIC WORKS,
SACRAMENTO, February 24, 1931.

*Honorable James Rolph, Jr., Governor of the State of California,
State Capitol, Sacramento, California.*

MY DEAR GOVERNOR: The committee appointed by you to proceed to Washington, D. C., to confer with officials of the United States on the California State Water Plan, begs leave to submit the following report:

MEMBERSHIP OF COMMITTEE.

The personnel of the committee was:

Colonel Walter E. Garrison, Director of Public Works, Chairman.

Edward Hyatt, State Engineer.

Major A. M. Barton, Chief Engineer, State Reclamation Board.

W. B. Mathews, General Counsel, Metropolitan Water District.
State Senator B. S. Crittenden, Chairman, Legislative Water Committee.
State Assemblyman Robert P. Easley, Member, State Legislative Water Committee.
W. M. Wiley, Secretary, Kern County Water Commission.

OBJECTIVES.

The first recommendation of the California Joint Federal-State Water Resources Commission, whose report was presented in January, was that "a commission authorized to represent the State be appointed to go to Washington and endeavor to come to a definite understanding with the executive department of the federal government" on these matters.

While the main objectives of your committee were well expressed in this report, the committee also had in mind the arranging, if possible, for an inspection on the ground of the California water project by subcommittees or members of Congress next summer, and for the transmittal to Congress and making public by the Army engineers the report of the War Department on this project. Minor objectives were conferences with many federal departments relative to cooperation with the State in various matters not directly connected with the water plan, if time permitted.

Appointments with the President, the Secretary of the Interior, members of Congress and others were made before leaving California.

CONFERENCE WITH PRESIDENT HOOVER.

The committee arrived in Washington February 16th, and met with President Hoover that morning. We were very cordially received by the President and presented to him your message of greeting. After an opening statement, a brief written resume of the mission of the committee and of the California Water Plan was presented. This statement covers the entire subject and a copy is attached to this report as Exhibit A.

CONFERENCES WITH OTHER FEDERAL OFFICIALS.

During the next two days your committee called upon Dr. Ray Lyman Wilbur, Secretary of Interior; Dr. Elwood Mead, Commissioner of Reclamation; General George B. Pillsbury, Assistant Chief of Engineers, War Department; the Board of Engineers of the War Department, consisting of seven members; and officials and engineers of these and other executive departments.

Your committee also discussed the California Water Plan with Senators Johnson and Shortridge. A meeting was arranged with the California House delegation, which was attended by all California members except Congressman Clarence Lea, who was sick, at which meeting the whole plan was explained with the aid of a relief map sent to Washington for this purpose.

Your committee also called on Congressman Murphy, of Ohio, chairman of the Interior Department Subcommittee on Appropriations, relative to having his committee inspect the California water project next summer.

FINAL CONFERENCE WITH PRESIDENT HOOVER.

Before leaving Washington another meeting with the President was arranged, attended by Director of Public Works Garrison and State Engineer Hyatt, at which the progress made was explained to him. As before, we were most graciously received.

ACCOMPLISHMENTS.

The pressing water needs of California and the project to relieve present shortages with Federal-State cooperation as recommended in the joint Federal-State report were competently presented to both executive and legislative branches of the United States government. In the executive departments a clear understanding of our water problems was found and effective cooperation received. Our congressional representatives, while helpful in every way possible, seemed unadvised of the plan and took the view that California must press the plan locally and enact the necessary constitutional amendments before definite action could be had from the United States.

Senators Johnson and Shortridge assured us that they would jointly request the Senate to appoint a Senate committee to inspect the area involved during the coming summer and report its findings to the next Congress, provided, that the report of the Army engineers of the War Department is presented to Congress during the present session. The War Department has assured us that its report will be given to Congress before its adjournment March 4th.

The California House delegation passed a resolution requesting all Congressmen visiting California during next summer, to avail themselves of the opportunity of investigating the California Water Conservation Plan. Congressman Murphy assured us that he and his subcommittee would visit California during the summer of 1931 and would devote at least four days to the inspection of this project. Dr. Wilbur, Secretary of the Interior, stated that he would accompany this committee during a part of that time. Dr. Elwood Mead, Commissioner of Reclamation, also signified his intention of accompanying this committee during its inspection of the project.

It is desired particularly to point out the importance of the report of the War Department and the progress made in expediting its transmittal to Congress. As soon as this report reaches Congress it is not only publicly available, but is officially before the Congress for action. Due to the telegrams sent by yourself, the assistance of our Senators and Congressman, and by the appearance of this Committee before the Assistant Chief Engineer and the Board of Engineers, we believe that this report will reach Congress and the California Legislature promptly and afford material basis for action by the Legislature during its second session.

CONCLUSIONS.

Your committee believes that the recommendations of the Federal-State Commission have been carried out as far as possible at this time. With the information and assurances received by your committee from the executive and legislative departments of the United States the way is open for the State of California, through its Legislature, to proceed further by preparing and submitting to the vote of the people of the State the constitutional amendments necessary before the State can act.

In arranging for inspection of the project by congressional committees and members and by expediting the War Department report, much has been accomplished. The executive departments are well informed and are sympathetic to federal cooperation on the California Water Plan. Congress, on the other hand, is not informed and much educational work will be necessary. Close and continuous cooperation between the State and federal departments, both executive and legislative, will be necessary to put the plan into execution.

RECOMMENDATIONS.

1. Immediate action by the California Legislature as recommended in the Federal-State report, in putting before the people of California the three constitutional amendments necessary for the execution of the plan. Details of these amendments are given on page 15 of the Federal-State report.

2. The informing of Congress of the water problems of California and the proposed plan by congressional inspection trips, by furnishing to it data and information, and in all other ways possible.

3. Close and continuous contact with all federal agencies interested.

OTHER ACCOMPLISHMENTS OF TRIP.

While in Washington it was possible to take up with various federal departments many other matters of interest to California, particularly those affecting the Department of Public Works and the Reclamation Board. Conferences were held with officials of the Federal Power Commission; U. S. Geological Survey, both water resources and topographic branches; National Forest Service; Department of Agriculture; and War Department.

Arrangements were made whereby a \$5,000 additional federal allowance will be made available during the present year for stream gaging in California, and a commitment secured for an allowance of \$100,000 for topographic mapping in California during the next biennium, contingent on being matched by the State, as compared to \$35,000 formerly obtained. Other important decisions, impossible of determination by correspondence, were also arrived at. In view of the multiplicity of cooperative interests of the State and the United States along these lines, and the availability of federal assistance, it is also recommended that much closer contact between State and federal departments on these matters be maintained in the future than has been had in the past.

Accompanying this report are three appendices as follows:

Appendix A—Statement to President Hoover, February 16, 1931.

Appendix B—Report of California Joint Federal-State Water Resources Commission.

Appendix C—Small map of California Water Plan.

Respectfully submitted.

WALTER E. GARRISON,

Enc. 3.

Director of Public Works, Chairman of Committee.

EXHIBIT A.

WILLARD HOTEL, SUITE 836,

WASHINGTON, D. C., February 16, 1931.

To the President of the United States.

Subject: California Water Resources Commission.

Members of the Commission:

Colonel Walter E. Garrison, Director of Public Works, Chairman.

Edward Hyatt, State Engineer.

Major A. M. Barton, Chief Engineer, State Reclamation Board.

W. B. Mathews, General Counsel, Metropolitan Water District.

State Senator B. S. Crittenden, Chairman, Legislative Water Committee.

State Assemblyman R. P. Easley, Member Legislative Water Committee.

W. M. Wiley, Secretary, Kern County Water Commission.

MR. PRESIDENT: This Commission is here to ask your advice and help concerning a program of California water development, and as to how the United States can be interested in this subject, which we think is of national importance.

Mr. President, I know that there are few, if any, men who personally know more about the California water situation than yourself, and, therefore, the engineering presentation need take but little of your time. We have heard and read your past public expressions regarding such great water storage projects as are proposed in California.

The California water plan has passed the visionary stage and is now definitely up for decision, and a very potent factor in such progress has been your own interest and help in initiating the California Joint Federal-State Water Resources Commission and appointing thereon able and qualified representatives of the federal departments concerned.

This Commission's report was made to you and to the Governor of California early in January, and the first recommendation of the report was as follows:

First, that a commission authorized to represent the State be appointed to go to Washington and endeavor to come to a definite understanding with the executive department of the federal government as to the terms upon which it will recommend to Congress that federal aid be extended, and also endeavor to arrange for the introduction in Congress of bills in conformity with such understanding. The importance of this can not be overemphasized. There is reason to believe that there is in process of formulation a new policy with respect to the federal relationship to the states as to water development. A federal commission is now studying this very question. Here there is a project most carefully investigated both by State and federal agencies which should go ahead and to which any new policy to be adopted may well be related.

I may say, Mr. President, that Governor Rolph is keenly aware of the importance of water problems in California and in his inaugural address in January said that he stood ready as Governor to do everything in his power toward finding a practical solution of these pressing problems. Therefore, Mr. President, this delegation representing the whole State of California is here at the direction of Governor Rolph to follow up the report of the Federal-State Commission and to attempt to obtain information which will permit the California Legislature, which will meet again this month, to take the necessary forward steps.

As you well know, Mr. President, the main water problem in California is water shortage, shortage during summer and fall in many places and all year in others. The second problem is flood control. There is enough water to fill all requirements and what is needed and what must be had is regulation and distribution. The character of water problems differs somewhat in different sections, but all parts of the State have such problems.

The California water plan as recommended by the Federal-State Commission is essentially a relief project. It does not propose irrigation of new lands, with consequent increase of the overproduction situation, but is limited to the relief of developed areas, facing retrogression or abandonment, unless help can be obtained. Relief is possible, but only with the assistance of both the State and the United States.

The most pressing urgency in which the aid of the Federal Government is believed justified and necessary is that in the southern San Joaquin Valley. Here the stream flow is small and irrigation from wells has badly overdrawn or exhausted the underground water supplies. In this area about 400,000 acres now under irrigation of a high type and supporting a large population are seriously short of water, and it is estimated in the Federal-State report that unless new water can be brought in 200,000 acres of highly developed land worth \$50,000,000 and producing crops of an annual value of more than \$20,000,000 must largely go back to desert conditions. The Commission finds the Sacramento-San Joaquin relief project economically sound and goes on to state:

"The Commission reached this conclusion without giving weight to the sentimental consideration that relief is essential if a large, highly developed and heretofore prosperous section is to be preserved. But that consideration is entitled to weight. Putting aside the loss of labor and capital already invested, it is not possible for these sections to go back in a large part to their original desert condition without a great toll of human misery and suffering. This misery and suffering will just as surely be present as if the calamity were one of earthquake or flood, and the occasion is as truly one which justly calls for governmental assistance if the communities themselves can not bear the burden alone. In this case we believe they can bear the burden, if this burden is thrown on all the portion of the State benefited and not entirely on the lands directly assisted. Even if this were not so, our recommendation would still be that the project was one worthy of State and Federal aid."

In Tulare County, about the center of this distressed area, some 10,000 acres have already been abandoned and assessed valuations are decreasing.

We believe, Mr. President, that a project of this kind, economically sound, involving no material increase in production, but rescuing 400,000 acres of valuable

irrigated land from depreciation or destruction, should be of more interest to the United States than an entirely new land project.

New water can best be brought into the southern San Joaquin Valley by means of the storage of an equivalent amount in the Sacramento watershed. This brings us to new areas of distress with different problems.

While the Sacramento drainage produces more water than the Colorado and far more than the ultimate needs of its own basin, in its present unregulated condition the summer flow has dropped so low that salt water from Suisun Bay has worked up the channels of the Sacramento-San Joaquin delta. This condition has resulted in curtailing irrigation to some extent and in endangering the whole delta section of over 300,000 acres of extremely fertile lands which produce crops valued annually at \$30,000,000, as well as creating a fresh water shortage in the industrial section along Suisun Bay. This situation has been brought about by several causes, chiefly upstream diversion for irrigation. For the same reason navigation has been badly impaired in the upper Sacramento River and more so in the San Joaquin River above the delta. At the same time flood control is a necessity in the Sacramento Valley and there is an existing project under way at this time to cost \$51,000,000 in which the United States, the State, and local interests each pay one-third.

The government of the United States is, we feel, directly concerned in the solution of the pressing water problems of these areas, particularly because of its interest in navigation, flood control, reclamation and the rescue of existing developments from threatened destruction.

For ten years past the State has studied these water problems in great detail, and a general Sacramento-San Joaquin Valley plan to best overcome them has been presented. This plan has been reviewed by the best engineers of California, and by the engineers of the War Department and the Reclamation Bureau, and there is substantial agreement as to its being the best solution.

Large storage on the Sacramento River at Kennett near the head of the valley would be provided. The stored water when released would flow down the river to the delta and be available for transmission into the San Joaquin Valley. Storage would be necessary on the San Joaquin River at Friant, 30 miles north of Fresno, from which point a high line canal would be taken south 157 miles to the Kern River.

This plan, if executed, would solve all of the problems mentioned and has other advantages. It would materially assist navigation and flood control on both rivers, would eliminate the salinity trouble and would rescue and relieve the southern San Joaquin Valley from the destructive effect of water shortage.

This project is estimated to cost about \$160,000,000 total. The construction of certain items essential to the program costing approximately \$20,000,000 can possibly be safely deferred some years; however, the entire program should be authorized at one time.

Revenues from sale of water are calculated on the basis of the reasonable ability of the lands to pay and from sale of power at competitive prices. While these revenues are large they are not sufficient to meet the total annual costs, and the Federal-State Commission concluded that the project could not be undertaken without State and Federal aid.

Basing computations on an interest rate not to exceed 3½ per cent the project was found economically sound if all benefits direct and indirect were taken into consideration. The Commission then stated:

"It is manifest that the Federal government alone can obtain money at 3½ per cent interest. It may well be that it can obtain or be willing to advance the money at a less rate of interest. It may also be that the Federal government will be willing to advance funds for construction of certain portions of the project without interest."

The Commission recommended that the project be financed and built by the United States and operated by the State as far as practicable, the State of California to guarantee the United States payment of interest and principal as due, less such amount as the United States would contribute on account of flood control and navigation. The difference between the annual costs and the revenues would be taken care of within the State.

The conclusions of the State reports are now completed. Reports are under way by the War Department and Bureau of Reclamation which we understand will be available shortly.

Mr. President, we are seeking your counsel and advice on all phases of this subject. Advice at this time will be particularly valuable since the California Legislature reconvenes late this month, will adjourn in April, and will not meet again until 1933. Without better information relative to the participation of the United States in this project than is now available it is doubtful if much can be accomplished in the 1931 Legislature.

We have available detailed information and would be happy indeed to explain any items further.

Washington, D. C., February 16, 1931.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

GOVERNOR'S OFFICE,
SACRAMENTO, February 24, 1931.

To the Honorable, The Senate of the State of California, State Capitol.

**PROGRESS REPORT OF EXTENT TO WHICH STATE HIGHWAY AND
STATE INSTITUTIONAL BUILDING PROGRAM HAS
BEEN ADVANCED.**

In accordance with my request to the Department of Public Works, that all public works be speeded up as a measure of affording a larger measure of employment to labor and a larger market to business, very substantial progress has been made in making these policies immediately effective. This is true both in construction and maintenance operations of the Division of Highways, and in the building activities of the Division of Architecture.

Generally speaking the State highway situation may be summarized as follows: State highway projects financed from the July 1, 1931-June 30, 1933, budget have been advanced as follows:

4 contracts awarded, total.....	\$ 491,200
3 projects now advertised for bids, total.....	1,011,500
32 projects to be advertised for bids April 1st, total.....	4,976,000

Grand total of advanced highway construction program.....\$6,478,700

In addition to the construction, the specific State highway maintenance program has been advanced as fast as seasonal conditions permit. This specific maintenance program includes such work as spraying roadside vegetation; dust oiling; contract and day labor work for furnishing rock for base reinforcement and oil surfacing.

The cost of this work, which will be well under way by April 1st, will approximate \$577,500.

By May 1st a program of specific shoulder improvement on sections of highway in Imperial and Riverside counties will be started, expenditures upon which will approximate \$256,000.

It should be noted that this specific maintenance program is in addition to routine maintenance work and upkeep upon the State highways, which totals nearly \$300,000 per month.

Special unemployment relief work upon the State highway system is affording employment to 3056 men. Of this number 1200 men are employed in the five unemployment relief labor camps; 175 men are employed on the special relief projects out of Monterey, the men living in Monterey; 1681 men are employed on the special relief maintenance crews. These latter men work on the basis of three days a week.

It is of interest to note that a careful check made on the men employed on the Monterey project showed an average of four dependents to each man employed.

Detailed information as to the construction and specific maintenance program is attached to this report.

The State institutional building program also has been advanced in a most gratifying manner. I feel that the detailed progress reports attached hereto fully justifies the action of the Legislature in acceding to the request made by me during the first half of the legislative session that the State institutional building bills be passed in emergency preference order.

The following summary gives the status of building construction projects handled since January 5, 1931, by the Division of Architecture, Department of Public Works:

1. Total work put under way in field.....	\$ 973,185
2. Total work pending contracts being executed.....	307,000
3. Total work now being advertised for bids.....	294,000
4. Total work drawings under way.....	2,464,000
5. Total work awaiting securing of sites or information.....	1,424,000
6. Two projects awaiting appointment of architects in private practice	50,000

Total value of projects.....\$5,512,185

MECCA-BLYTHE TOLL BRIDGE ACQUISITION.

Upon my instructions, the Department of Public Works has thoroughly investigated the stability, the suitability, and the value of the Blythe toll bridge. Engineers of both states and the bridge company participated in this investigation, which has just been completed. A full report of the findings of this investigation will soon be ready for submission.

The importance of this structure as a part of the interstate highway system of California and Arizona was such that I felt it my duty to personally contact the governor of Arizona and other officials of that state regarding this bridge. I found their attitude in this matter to be extremely cordial and agreeable. The state of Arizona is willing to cooperate with California to the fullest extent. Officials of

that state expressed their willingness to participate to the amount of 50 per cent of a fair and just cost; the cost to be determined by joint action of the highway department engineers of the respective states and the bridge company.

The bridge company officials on their part have expressed their willingness to sell the bridge at a fair price. By agreement with Arizona officials, Colonel Garrison, Director of the Department of Public Works, and State Highway Engineer C. H. Purcell, have entered into negotiations with the bridge officials.

In connection with the bridge, it will be necessary to add to the State highway system a piece of now existing county road adjacent to the bridge, and about four miles long.

The reports and proposed methods of purchase will be completed in ample time for the Legislature to take action during the present session.

The acquisition of the bridge by California and Arizona will eliminate the present unhappy situation in which travelers from the East find themselves compelled to pay a toll at their first entrance into California.

In order that a complete picture may be shown, I might further state that this bridge crosses the Colorado River at a point near Blythe. The desirability of making it a free structure to travel can be seen in the fact that it forms a direct interstate connection between Route 64 (Mecca to Blythe State highway) in California and the Wickenburg-Ehrenburg road in Arizona. It forms an important gateway into California for transcontinental traffic through Phoenix from the East.

The states of California and Arizona contemplate, in their present budgets, to spend large sums of money on the roads leading to this bridge. The state of Arizona proposes to relocate a large part of the present road between Phoenix and the Colorado River. In so doing, it will transform the present desert road into a high speed, well aligned highway. Likewise, California is relocating its Route 64 in many places and transforming this important road into a high speed highway. The budget for the 1931-1933 biennium carries an appropriation of \$300,000 for this road. It is certain this route is destined to become one of the most important and heavily traveled roads leading into southern California and Los Angeles from the East, and that traffic over this route will be increased to many times its present travel.

DETAILED REPORT OF ADVANCED PROJECTS—DIVISION OF HIGHWAYS.

Attached is a list of the projects included in the advanced program of the Division of Highways:

CONTRACTS AWARDED.

<i>State Highways</i>	
Redwood -----	148-foot timber bridge across Mark West Creek, Sonoma County; \$22,200.
Carmel-San Simeon -----	Grading 8.6 miles, Rocky Creek to San Remo Divide, Monterey County; \$100,000.
Valley Route -----	Concrete paving 7.8 miles, Stockton to Calaveras R. and Harney Lane to Houston School, San Joaquin County; \$284,000.
Redwood -----	Grading portions, Arnold to Pepperwood School, Mendocino County; \$85,000.
	Total work under contract ----- \$491,200

WORK ADVERTISED.

Bayshore -----	Concrete bridge across San Francisquito Creek, San Mateo County.
Valley Route -----	Bituminous treated shoulders, 30.3 miles, Grapevine to Bakersfield, Kern County.
Redwood -----	Grading and surfacing 13.5 miles, Pepperwood School to Little Dann Creek, Mendocino County.
	Total work now advertised ----- \$1,011,500

WORK TO BE ADVERTISED BY APRIL FIRST.

Carmel-San Simeon -----	150-foot concrete arch bridge across Garapata Creek, Monterey County.
San Diego-El Centro -----	Concrete paving 9.3 miles, La Posta Creek to Tecate Divide, San Diego County.
Coast Route -----	Grading and concrete pavement, 11.1 miles, 2 miles east of Salinas to north boundary, Monterey County.
Red Bluff-Susanville -----	Rock surfacing, 7.3 miles, Dales to Paynes Creek, Tehama County.
Saratoga-Blooms Mills -----	Grading and surfacing 3.5 miles, Waterman Switch to Saratoga Gap, Santa Clara County.
Bayshore -----	Concrete paving, 3 miles, Burlingame to San Mateo, San Mateo County.
San Diego-El Centro -----	Grading and paving 0.5 of a mile, east of El Cajon, San Diego County.

State Highways

Arroyo Seco-----	Grading 5.1 miles, 4 miles north of La Canada and Colby Canyon, Los Angeles County.
East of Sierras-----	Grading 14.2 miles, Bridgeport to Sonora Junction, Mono County.
Coast Route-----	140-foot concrete bridge across Carnadero Creek, Santa Clara County.
Redwood-----	Bituminous macadam surface 10.1 miles, Loleta to Eureka, Humboldt County.
Nevada City Lateral-----	Grading 1.4 miles, Wise Power House to Auburn, Placer County.
Coast Route-----	Asphalt paving 3.7 miles, Wigmore to Los Alamos, Santa Barbara County.
Valley Route-----	Asphalt pavement 12.1 miles, Goshen to Kingsburg, Tulare County.
Redwood-----	Grading near County line, Mendocino County.
Pacific Highway (West Side)-----	Grading and graveling 4 miles, Williams to 4 miles south, Colusa County.
San Marcos-Sequoia Park-----	Oil rock shoulders, 0.3 of a mile, Plaza Garage to 0.3 of a mile westerly, Tulare County.
Valley Route-----	Grading 5.2 miles, Canton Creek to Piru Creek, Los Angeles County.
Coast Route-----	30-foot asphalt pavement, 3.2 miles, Serra to San Clemente, Orange County.
San Diego-El Centro-----	Bridge and concrete pavement, approaches, across Boundary Creek, San Diego County.
El Centro-Yuma-----	Asphalt pavement widening 20.9 miles, Highline Canal to Sand Hills, Imperial County.
Redwood-----	Bridge across Eel River at Dyerville, Humboldt County.
Alturas Lateral-----	Crushed gravel surfacing 66.1 miles, Fall River to Hat Creek, Shasta and Lassen counties.
Pacific Highway-----	Bridge across Clear Creek, Shasta County.
Feather River Lateral-----	Grading 1.2 miles Spanish Creek to Keddie, Plumas County.
Placerville-Tahoe-----	Paving 0.4 of a mile, Placerville city limits to Clark and Main Streets, El Dorado County.
Placerville-Tahoe-----	Paving 6.8 miles, Brighton to Mills, Sacramento County.
Pacific (East Side)-----	Bridge across Coon Creek, Placer County.
Stockton-Santa Cruz-----	Bridge across Walker Slough, San Joaquin County.
Stockton-Santa Cruz-----	Bridge across Homestead Canal, San Joaquin County.
Valley Route-----	Paving 7 miles, Turner Station to Stockton, San Joaquin County.
Placerville-Tahoe-----	Oil surfacing 1.6 miles, Placerville to railroad crossing, El Dorado County.
	Total to be advertised by April 1st-----\$4,976,000
	Grand total of contracts awarded, work now being advertised, and work to be advertised by April 1st-----\$6,478,700

SPECIFIC MAINTENANCE PROJECTS.

In addition to the routine maintenance work of upkeep to the State highways which totals nearly \$300,000 each month, the Maintenance Department is making every effort to advance the specific program as fast as the seasonal conditions of the road will permit.

The spraying of roadside vegetation is already under way in some sections and will be well completed during March. This work will cover some 1150 miles and represents an expenditure of \$80,000.

Specifications are being prepared covering the dust oiling work, which is one of the important seasonal programs from a motorist's point of view. This type of work is programmed for 1040 miles of roadway and 330 miles of shoulders at an expenditure in excess of \$300,000. The greater part of this work should be advertised and under way the latter part of April, although road and weather conditions must always be considered in this work.

Preliminary reports are prepared and specifications under way for contract and day labor work for furnishing rock for base reinforcement and oil surfacing. The base reinforcement, etc., is estimated to cost \$225,000 and the armor coat and oil processing work about \$160,000. Approximately one-half of the rock will be produced under contract, and work will be under way as soon as contracts can be let, which should be by the middle of April. The balance of the rock will be purchased from commercial plants and hauled with rented or State-owned equipment. The oil work will follow the production of the rock, and is planned to start by May 15th. In addition to this work plans are under way for shoulder improvement in Imperial and Riverside counties totaling \$256,000. This work should start about May 1st.

DETAILED REPORT OF ADVANCED PROJECTS—DIVISION OF ARCHITECTURE.

In the preliminary paragraphs of this statement, a summary was given showing a total of \$5,512,185 in State building projects, which have been advanced in accordance with the administration's program. The following pages show the detail upon which the foregoing summary was based.

STATUS OF PROJECTS BEING HANDLED BY THE DIVISION OF ARCHITECTURE—1929 APPROPRIATIONS.

1. Hospital building, Stockton State Hospital.....	\$92,000 00
Industrial building, Stockton State Hospital.....	22,500 00
Work under way in field.	
2. Physical education building, San Diego State Teachers College....	10,000 00
Work under way in field.	
3. Unit for infirm patients, Patton State Hospital.....	45,000 00
Work under way in field.	
4. Dormitories and kitchen, School for Deaf.....	285,000 00
Work under way in field.	
5. Hospital building, Pacific Colony.....	98,000 00
Administration building, Pacific Colony.....	26,000 00
Industrial building, Pacific Colony.....	10,000 00
Bids received February 17, 1931.	
6. Administration building, California Institution for Women.....	100,000 00
Two ward buildings, California Institution for Women.....	106,000 00
Drawings 90 per cent complete.	
7. Pathological laboratory, Agnews State Hospital.....	80,000 00
Drawings started.	
8. Science building, Santa Barbara State Teachers College.....	110,000 00
Drawings 15 per cent complete.	
9. Warehouse, San Quentin State Prison.....	50,000 00
Work under way in field.	
10. Laundry building, San Quentin State Prison.....	45,000 00
Drawings 70 per cent complete.	
11. Cannery building, Folsom State Prison.....	20,000 00
Drawings completed. Work under way in field.	
12. Remodel old administration building, Folsom State Prison.....	20,000 00
Drawings 20 per cent complete.	
13. Ward building, Pacific Colony.....	55,000 00
Drawings 20 per cent complete.	
14. Office building at San Luis Obispo, Division of Highways.....	43,000 00
Drawings 100 per cent complete, but must be revised to reduce the cost of project.	
15. Ward unit, Southern California State Hospital.....	320,000 00
Drawings 100 per cent complete. Must wait for confirmation of site title or selection of new site.	
16. Miscellaneous minor construction work.....	56,185 00
Work under way in field.	

STATUS OF PROJECTS BEING HANDLED BY THE DIVISION OF ARCHITECTURE—1931 APPROPRIATIONS.

Chapter

19-31	1. Ward unit No. 2, Agnews State Hospital.....	\$320,000 00
	Work under way in field.	
20-31	2. Completion of ward No. 7, Mendocino State Hospital..	60,000 00
	Contracts awarded.	
22-31	3. Night employees' building, Norwalk State Hospital....	37,000 00
22-31	Day employees' building, Norwalk State Hospital.....	33,000 00
22-31	Physician's residence, Norwalk State Hospital.....	8,000 00
	Bids received February 17, 1931.	
23-31	4. Addition to Infirmary Unit, Patton State Hospital.....	40,000 00
	Drawings completed. Will start construction immediately by day's labor.	
24-31	5. Employees' building, Stockton State Hospital.....	35,000 00
	Bids received February 10, 1931.	
28-31	6. Employees' building and garages, Pacific Colony.....	54,000 00
	Drawings completed. Bids to be received March 3, 1931.	
30-31	7. Cottage for boys, Whittier State School.....	40,000 00
	Drawings completed. Bids to be received February 24, 1931.	
25-31	8. Live stock unit No. 2, Agricultural Park, Sacramento..	140,000 00
	Drawings completed. Bids to be received March 3, 1931.	
25-31	9. Poultry building, Agricultural Park, Sacramento.....	60,000 00
	Drawings completed. Bids to be advertised February 27, 1931.	

<i>Chapter</i>		
17-31	10. Guards' cottages, Folsom Prison.....	\$25,000 00
	Drawings completed. Work under way in field.	
10-31	11. Completion of gymnasium, San Jose State Teachers College.....	40,000 00
	Drawings 90 per cent complete.	
48-31	12. Club building, San Diego State Teachers College.....	15,000 00
48-31 & Gift Fund	13. Scripps cottage, San Diego State Teachers College.....	11,000 00
9-31	13. Dormitory building, California Polytechnic School.....	40,000 00
	Drawings 50 per cent complete.	
19-31	14. Attendants' building, Agnews State Hospital.....	90,000 00
	Drawings 20 per cent complete.	
49-31	15. Completion of auditorium, Chico State Teachers College.....	30,000 00
	Drawings 20 per cent complete.	
17-31	16. Cell block foundation, Folsom State Prison.....	25,000 00
	Drawings 20 per cent complete.	
28-31	17. Ward building, Pacific Colony.....	46,000 00
	Drawings 20 per cent complete.	
21-31	18. Remodel dining room and kitchen, Napa State Hospital.....	40,000 00
	Remodel amusement hall, Napa State Hospital.....	15,000 00
	Drawings started.	
57-31	19. Completion of San Francisco State Building.....	210,000 00
	Drawings 40 per cent complete.	
6-31	20. Rifle range at Oakland, California National Guard.....	7,500 00
	Work in field to start at once.	
4-31 & 248-31	21. Detention building, California Institution for Women.....	106,000 00
	Drawings started.	

STATUS OF PROJECTS TO BE HANDLED BY ARCHITECTS
IN PRIVATE PRACTICE 1931 APPROPRIATIONS.

S. B. 100	1. Dairy unit, Preston School of Industry.....	\$40,000 00
	Architect appointed: Russell Guerne de Lappe.	
	Conference held in State Architect's office and at Preston School. Instructions given. Preliminary studies being made. Project involves purchase of land.	
8-31	2. Library building, Fresno State Teachers College.....	125,000 00
	Architects appointed: Swartz & Ryland.	
	Conference held in State Architect's office and at Fresno State Teachers College. Instructions given. Preliminary studies being made. Project involves purchase of land.	
12-31	3. Gymnasium units, San Diego State Teachers College....	155,000 00
	Architect appointed: William H. Wheeler.	
	Conference held in State Architect's office and at San Diego State Teachers College. Must wait for program of requirements as furnished by Mr. Hill of the Department of Education. Requirements to be available February 25, 1931.	
24-31	4. Remodel kitchen building, etc., Stockton State Hospital.....	65,000 00
	Architect appointed: Peter L. Sala.	
	Conference held in State Architect's office and at Stockton State Hospital. Instructions given. Mr. Sala has submitted written recommendation that appropriation be increased to properly carry out the project.	
15-31	5. Training school, Humboldt State Teachers College.....	170,000 00
	Architect appointed: Franklin T. Georgeson.	
	Conference held in State Architect's office. Must wait for program of requirements as furnished by Mr. Hill of the Department of Education. Requirements to be available February 24, 1931.	
10-31	6. Science building, San Jose State Teachers College....	202,000 00
	Architect appointed: Ralph Wyckoff.	
	Conference held in State Architect's office. Must wait for program of requirements as furnished by Mr. Hill of the Department of Education. Requirements to be available March 3, 1931.	
11-31	7. Primary unit and dining room, California School for Deaf	242,000 00
	Architect appointed: Charles F. B. Roeth.	
	Conference held in State Architect's office and at California School for Deaf. Instructions given. Preliminary studies being made.	
5-31	8. Hospital unit, Veterans' Home.....	500,000 00

Chapter

		Architect appointed: Frederick H. Meyer. Conference held in State Architect's office and at the Veterans' Home. Instructions given. Preliminary studies being made.	
6-31	9.	Armory at Yuba City, California National Guard----- Architect appointed: Charles F. Dean. Conference held in State Architect's office. The project involves the donation of a site to the State. No action can be undertaken with drawings until site is secured. Adjutant General Howard has been so advised.	\$25,000 00
14-31	10.	Library and classrooms, Chico State Teachers College-- Architect appointed: Chester Cole. Conference held in State Architect's office. Must wait for program of requirements as furnished by Mr. Hill of the Department of Education. Requirements to be available February 23, 1931.	117,000 00
7-31	11.	Superintendent's cottage and ward buildings, State Narcotic Hospital ----- Architect appointed, February 12, 1931: Frederick H. Eley. Conference held in State Architect's office and conference being held today at Narcotic Hospital, instructions to be given and preliminary studies will commence immediately.	55,000 00
23-31	12.	Dairy unit, Patton State Hospital----- Architect appointed February 13, 1931: G. Stanley Wilson. Conference held in State Architect's office and conference being held today at Patton Hospital, instructions to be given and preliminary studies will commence immediately.	25,000 00
22-31	13.	Ward building, Norwalk State Hospital----- Architect appointed February 11, 1931: Gilbert Stanley Underwood Co. Conference held in State Architect's office and at Norwalk State Hospital. Instructions given and preliminary studies being made.	75,000 00
28-31	14.	Ward building and dairy unit, Pacific Colony----- Architects appointed February 11, 1931: Walker & Eisen. Conference held in office of Walker & Eisen with State Architect. No action on drawings can be undertaken until selection of sites is determined by Department of Institutions.	60,000 00
6-31	15.	Armory at Pasadena, California National Guard----- Architects appointed February 11, 1931: Bennett & Haskell. The project involves the donation of a site to the State. No action can be undertaken with drawings until site is secured. Adjutant General Howard has been so advised.	50,000 00
20-31	16.	Ward building, Mendocino State Hospital----- Architect selected February 17, 1931: Martin A. Sheldon. Conference held in State Architect's office. Mr. Sheldon to confer with Dr. Crowley, who, we understand, will be appointed the new medical superintendent at the Mendocino State Hospital, effective March 1, 1931. Mr. Sheldon expects to confer with Dr. Crowley in San Francisco, if possible, immediately.	90,000 00
13-31	17.	Additional classrooms, San Francisco State Teachers College ----- Architect appointed February 17, 1931: S. Heiman. Conference held in State Architect's office. Must wait for program of requirements as furnished by Mr. Hill of the Department of Education. Requirements to be available February 28, 1931.	100,000 00
16-31	18.	Training School, Santa Barbara State Teachers College Architect appointed February 19, 1931: William A. Edwards. Conference held in State Architect's office. Project involves a layout of roads and walks of campus surrounding building site as decided by Department of Education and Division of Architecture. This will be started immediately.	70,000 00
6-31	19.	Armory at Salinas, appointment not made-----	35,000 00

<i>Chapter</i>		
20-31	20. Cottage for boys, Sonoma State Home.....	\$75,000 00
	Architects appointed: Powers & Ahnden, San Francisco.	
	Appointment made February 20, 1931.	
29-31	21. School and gymnasium, Sonoma State Home.....	40,000 00
	Architects appointed: Powers & Ahnden, San Francisco.	
	Appointment made February 20, 1931.	
31-31	22. Superintendent's residence, Industrial Home for Adult Blind	15,000 00
	Appointment not made. Director of Finance requests no action to be taken until advised.	
20-31	23. Laundry building, Mendocino State Hospital.....	60,000 00
	Architect appointed: Charles E. Perry, Vallejo.	
	Appointment made February 20, 1931.	

Respectfully,

JAMES ROLPH, JR., Governor.

RESOLUTION.

The following resolution was offered:

By Senator Maloney:

Resolved, That the following named person be and he is hereby appointed to the position hereinafter set forth as provided by law, with the compensation set opposite his name, such compensation to begin February 24, 1931, payable weekly, and the Controller is hereby directed to draw his warrant in favor of the said person for the said amount, and the Treasurer is hereby directed to pay the same:

John J. Crotty, Assistant Sergeant-at-Arms..... \$5 00 per day

Resolution read.

Senator Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, February 25, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 245—An act to carry into effect the provisions of section 18 of article XIII of the constitution, and adding sections 3664b-1, 3664b-2, 3664b-3, and 3664b-4, to the Political Code, relating to taxation of ocean marine insurers—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that same do pass as amended.

Committee membership—13; committee vote: Ayes—9; noes—none.

NELSON, Chairman.

Assembly Bill No. 245 ordered on file for second reading.

SECOND READING OF ASSEMBLY BILL NUMBER TWO HUNDRED FORTY-FIVE.

Assembly Bill No. 245—An act to carry into effect the provisions of section 18 of article XIII of the constitution, and adding sections 3664b-1, 3664b-2, 3664b-3, and 3664b-4, to the Political Code, relating to taxation of ocean marine insurers.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, strike out the words "or navigable waters".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 12, of the printed bill, strike out the figures "3664b", and insert in lieu thereof the figures "3664b-1".

Amendment adopted.

Bill read second time.

CONSIDERATION OF ASSEMBLY BILL NUMBER TWO HUNDRED FORTY-FIVE.

Senator Sharkey asked for, and was granted, unanimous consent to take up for consideration, at this time, Assembly Bill No. 245.

RESOLUTION.

The following resolution was offered:

By Senator Sharkey:

Resolved, That Assembly Bill No. 245 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 245.

URGENCY CLAUSE.

SEC. 5. This act, inasmuch as it provides for a tax levy, shall, under provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—28.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 245 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Hays, Ingels, Inman, Jones, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 24, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1090—An act to amend section 751 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to cities of the fifth class, to take effect immediately—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass. Committee membership—9; committee vote: Ayes—8; absent—1.

HARPER, Chairman.

Assembly Bill No. 1090 ordered on file for second reading.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND NINETY.

Senator Rich asked for. and was granted, unanimous consent to take up for consideration, at this time, Assembly Bill No. 1090.

RESOLUTION.

The following resolution was offered:

By Senator Rich:

Resolved, That Assembly Bill No. 1090 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Eyans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Waggy, and Williams—28.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1090.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINETY.

Assembly Bill No. 1090—An act to amend section 751 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, as amended, relating to cities of the fifth class, to take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure, deemed necessary for the immediate preservation of the public peace, health and safety, within the meaning of section 1 of article IV of the constitution of the State of California, and as such it shall take effect immediately.

The following is a statement of the fact constituting such necessity:

Various cities of the class affected by this amendment, will hold elections to which such amendment applies in April of this year. Inasmuch as the amendment would not take effect in the ordinary course of procedure until after such elections, the act as it existed prior to the adoption of the amendment would apply.

As a consequence cities of the fifth class in which elections would be held this year would be governed for two years at least, by officers elected under a law which did not longer exist in the same form. Other cities of the same class holding elections at a later date would come under the provisions of the act as

amended. There would thus be a situation in which cities of the same class would be governed under different laws.

In order to prevent the resulting confusion throughout the State, and the injustice which would require certain cities of the class affected to be governed by officers whose election was no longer provided for by the laws of this State, it is necessary that this amendment be passed by this Legislature to take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, Tubbs, Wag, Williams, and Young—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1090 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, Tubbs, Wag, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

Resolved, That the following named persons be stricken from the list of Senate attaches, and their names be stricken from the pay roll of the Senate, to take effect on completion of the work February 25, 1931:

W. A. Yarwood, File Clerk-----	\$7 00 per day
Clarence Prentice, Assistant at the Desk-----	5 00 per day
Verda Roberts, Stenographer-----	5 00 per day
Helen Church, Stenographer-----	5 00 per day
Julia Hayes, Stenographer-----	5 00 per day

Resolution read and, on motion of Senator Swing, adopted.

APPOINTMENTS BY THE PRESIDENT.

The following communication was received and read:

SACRAMENTO, February 25, 1931.

To the Senate.

I beg to inform you that I have appointed:

Donald McGuire, Page-----	\$2 50 per day
Frank Smith, Page-----	2 50 per day
Elmore Brown, Page-----	2 50 per day

FRANK F. MERRIAM, Lieutenant Governor.

Senator Breed moved the appointments be confirmed by the Senate.

The question being upon the confirmation of the appointments.

The roll was called, and the appointments confirmed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixter,

Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—31.

NOES—None.

COMMUNICATION.

The following communication was received, read, and on motion of Senator Maloney, ordered printed in the Journal:

The San Francisco Junior Chamber of Commerce cordially extends an invitation to you to be present at the Sacramento Municipal Airport at two o'clock p.m., Thursday, February 26th, at which time a fleet of 14 airplanes flown from San Francisco to and around the Capitol will be at the disposal of the members of the Legislature. Each member is invited to take a ride in any of the planes at the field.

The purpose of the flight is a good will visit from the San Francisco Junior Chamber of Commerce to Governor Rolph and the members of the Legislature.

Machines will be at the entrance to the Capitol to transport those who desire to go to the field from and after one o'clock and fifteen minutes p.m.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Wagy: Senate Joint Resolution No. 9—Joint resolution relating to the desirability of an International Conference to be arranged by the United States for the consideration of the world's silver problem.

Referred to Committee on Federal Relations.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 325—An act to amend sections 8 and 14 of an act entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to taxes upon banks and corporations, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 325—An act to amend sections 8 and 14 of an act entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to taxes upon banks and corporations.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED TWENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in the Senate January 22, 1931, strike out the last three words of line 9, and all of lines 10, 11 and 12, and insert in lieu thereof the following: "but shall not exceed the amount which would constitute the federal income tax liability of the taxpayer if its net income subject to federal tax were reduced by the additional allowances permitted under the provisions of subsections (f) and (g) of this section and sections 19 and 20 hereof."

AMENDMENT NUMBER TWO.

On page 5, line 30, of the printed bill, as amended in the Senate January 22, 1931, strike out the word "corporation", and insert in lieu thereof the word "corporations".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 325?

The roll was called, and Assembly amendments to Senate Bill No. 325, concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Young—31.

NOES—None.

Senate Bill No. 325 ordered to print and enrollment.

RE-REFERENCE OF SENATE BILL NUMBER EIGHT HUNDRED FORTY.

Senator Jones asked for, and was granted, unanimous consent to have Senate Bill No. 840 withdrawn from Committee on County Government, and re-referred to Committee on Education.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed, as amended, Senate Bill No. 326—An act to amend sections 5, 9, 24, 25, 26, 27 and 32 of chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 326—An act to amend sections 5, 9, 24, 25, 26, 27 and 32 of chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THREE HUNDRED TWENTY-SIX.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Senate, January 22, 1931, insert "13," between "9," and "24".

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, as amended in the Senate January 22, 1931, insert the word "neither" between the words "but" and "the".

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed bill, as amended in the Senate January 22, 1931, strike out the word "and", and insert the word "nor".

AMENDMENT NUMBER FOUR.

On page 2, line 15 of the printed bill, as amended in the Senate January 22, 1931, strike out the word "not".

AMENDMENT NUMBER FIVE.

On page 2, of the printed bill, as amended in the Senate January 22, 1931, insert immediately after line 16 the following section:

"Sec. 3. Section 13 of said act is hereby amended to read as follows:

Sec. 13. Every bank and corporation shall, within two months and fifteen days after the close of its taxable year, transmit to the commissioner a return in a form prescribed by him, specifying, for the taxable year, all such facts as he may by rule, or otherwise, require in order to carry out the provisions of this act.

A bank which locates or commences to do business within the limits of this state, and a corporation which commences to do business in this state, after the effective date of this act, shall thereupon prepay the minimum tax hereunder, and upon the filing of its return within two months and fifteen days after the close of its taxable year its tax for that year shall be adjusted upon the basis of the net income received during that taxable year. Said return shall also, in accordance

with sections 23 to 26 inclusive, be the basis for the tax of said bank or corporation for its second taxable year, except that in every case in which the first taxable year of a bank or corporation constitutes a period of less than twelve months, the net income to be used as the measure of the tax for the second taxable year shall be in the same proportion to the net income for the first taxable year as the number of months in the second taxable year bears to the number of months covered by the return for the first taxable year, and in no case may the term 'doing business' as defined in section 5 hereof be so construed as to enable a bank or corporation to pay a less amount of tax than it would be required to pay were the last clause of section 5 omitted therefrom.

Any bank or corporation which is dissolved and any foreign corporation which withdraws from the state during any year shall pay a tax hereunder only for the months of its fiscal year which precede such dissolution or withdrawal, according to or measured by such proportionate part of the net income of the preceding taxable year as the number of months of the year prior to such dissolution or withdrawal bears to the entire preceding taxable year. In any event, each such corporation shall pay a minimum tax of twenty-five dollars for such period.

If any bank or corporation discontinues actual operations within the state in any year and thereafter has no net income but does not dissolve or withdraw from the state, it shall in the succeeding year and thereafter until dissolution, withdrawal or resumption of operations, pay an annual tax to the state of twenty-five dollars.

The tax liability imposed under this act shall attach whether a bank or corporation has a taxable year of twelve months or of less duration."

AMENDMENT NUMBER SIX.

On page 2, line 17, of the printed bill, as amended in the Senate January 22, 1931, strike out the words "Sec. 3", and insert in lieu thereof the words "Sec. 4".

AMENDMENT NUMBER SEVEN.

On page 2, line 25, of the printed bill, as amended in the Senate January 22, 1931, insert between the words "tax" and "to" the following: "(or, if the tax is paid in installments, from the date prescribed for the payment of the first installment)".

AMENDMENT NUMBER EIGHT.

On page 2, line 25, of the printed bill, as amended in the Senate January 22, 1931, insert the word "the" between the words "date" and "deficiency".

AMENDMENT NUMBER NINE.

On page 2, line 47, of the printed bill, as amended in the Senate January 22, 1931, insert the word "interest" before the word "at".

AMENDMENT NUMBER TEN.

On page 3, line 5, of the printed bill, as amended in the Senate January 22, 1931, strike out the words "Sec. 4", and insert in lieu thereof the words "Sec. 5".

AMENDMENT NUMBER ELEVEN.

On page 4, line 8, of the printed bill, as amended in the Senate January 22, 1931, strike out the words "Sec. 5", and insert in lieu thereof the words "Sec. 6".

AMENDMENT NUMBER TWELVE.

On page 4, line 36, of the printed bill, as amended in the Senate January 22, 1931, strike out the words "Sec. 6", and insert in lieu thereof the words "Sec. 7".

AMENDMENT NUMBER THIRTEEN.

On page 5, line 20 of the printed bill, as amended in the Senate January 22, 1931, strike out the words "Sec. 7", and insert in lieu thereof the words "Sec. 8".

AMENDMENT NUMBER FOURTEEN.

On page 5, of the printed bill, as amended in the Senate January 22, 1931, after line 50, insert the following section:

"Sec. 9. If any portion of this act is invalid the legislature hereby declares that had it known of the invalidity of the portion at the time of this enactment it would have passed the remainder of this act without the invalid portion, and that it is the intention of the legislature that the remainder of this act operate in the event of the invalidity of any portion of this act."

AMENDMENT NUMBER FIFTEEN.

On page 6, line 1, of the printed bill, as amended in the Senate January 22, 1931, strike out the words "Sec. 8", and insert the words "Sec. 10".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 326?

The roll was called, and Assembly amendments to Senate Bill No. 326 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—32.

NOES—None.

Senate Bill No. 326 ordered to print and enrollment.

ADJOURNMENT.

At twelve o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Senator Charles H. V. Lewis of Los Angeles, until eleven o'clock a.m., Thursday, February 26, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, February 26, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—33.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, February 25, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Tubbs was, on motion of Senator Maloney, granted leave of absence for this day.

Senator McKinley was, on motion of Senator Breed, granted leave of absence for this day.

Senator Carter was, on motion of Senator Rochester, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. T. Kerr of Oakdale.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Ross Calfee of Berkeley.

On request of Senator Cassidy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the "Forty-niners" from Hangtown or Placerville as follows: Ted Atwood, Marson Atwood, Lena Rantz, Dora Wood, Lil. Zeisz, Geo. Rollers, Chas. Cook, Henry Lyon, C. N. Chalders, Maggie Carpenter, A. A. Tucker, B. H. Thomas, Joseph Quigley, Charles Ripley, Mr. and Mrs. Gray, Bess Waldron, Ed Hutchinson, A. B. Kyburz, H. Riebur, Joseph Scherrer, Don Wood, Robert Rodden and Dr. M. E. Howland.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Herbert Maxfield of Merced.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1860—An act making an appropriation to meet a deficiency in the appropriation for support of Fuel Tax Division, State Board of Equalization, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 1860 ordered on unfinished business file.
Also:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 13—Relative to approving fifteen certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of February, 1931.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NUMBER THIRTEEN.

Senator Edwards asked for, and was granted, unanimous consent to consider Assembly Concurrent Resolution No. 13, at this time, without reference to committee, for purpose of adoption.

Assembly Concurrent Resolution No. 13—Approving fifteen certain amendments to the charter of the city of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of February, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 13 adopted by the following vote:

AYES—Senators Allen, Breed, Christian, Deuel, Edwards, Fellom, Harper, Hays, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, and Young—23.

NOES—None.

Assembly Concurrent Resolution No. 13 ordered transmitted to the Assembly.

RECESS.

On motion of Senator Cassidy, at eleven o'clock and fifteen minutes a.m., the President of the Senate declared recess until eleven o'clock

twenty-five minutes a.m., to present the "Forty-niners" from Hangtown, and listen to a short address by Ted Atwood.

RECONVENED.

At eleven o'clock and twenty-five minutes a.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 25, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 12—Relative to memorializing Congress to enact certain legislation now pending granting travel pay and allowances to certain soldiers of the Spanish-American War and Philippine Insurrection who were discharged in the Philippines.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER TWELVE.

Senator Rochester asked for, and was granted, unanimous consent to consider Assembly Joint Resolution No. 12, at this time, without reference to committee.

ASSEMBLY JOINT RESOLUTION No. 12.

Relative to memorializing Congress to enact certain legislation now pending, granting travel pay and allowances to certain soldiers of the Spanish-American War and Philippine Insurrection who were discharged in the Philippines.

WHEREAS, There is now pending before the Congress of the United States of America a bill (H. R. 7930), providing that soldiers who enlisted in the regular Army in 1898 for the duration of the war with Spain, who were discharged in the Philippines, who did not reenter the military service there, and who embarked from Manila within one year after discharge, be allowed travel pay and commutation of subsistence for a period not exceeding three months during which they awaited transportation by government transport, less any sums heretofore paid by the government by way of such travel pay and commutation of subsistence; and

WHEREAS, Such legislation is in all respects just and desirable; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Congress of the United States of America be hereby memorialized and earnestly urged to enact said bill, and the President and Vice President be likewise memorialized and urged to support said bill; and, be it further

Resolved, That the Chief Clerk of the Assembly be, and he is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to the Chairman of the Committee on Military Affairs in each of the two houses of Congress, and to the Senators and Representatives, from California, in Congress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 12 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, Williams, and Young—25.

NOES—None.

Assembly Joint Resolution No. 12 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, February 26, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 350—An act relating to the formation, organization and proceedings of bridge and highway districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—11; absent—2.

EDWARDS, Chairman.

Senate Bill No. 350 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, February 25, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 34—An act to amend chapter 592, Statutes of 1913, entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by amending section 2 of said act relative to the formation of districts organized thereunder and by amending sections 20 and 21 of said act relative to the levy and collection of taxes in such districts;

Also: Senate Bill No. 37—An act to amend sections 6b, 8, 9, 10, 11, 18, 20 and 23 of chapter 218, Statutes of 1921, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, also to add a new section to said act to be numbered 6c, relating to the limitation of time for commencing actions to contest the validity of proceedings for the annexation of territory to municipal utility districts, also to amend section 12 of said act as amended by amending subdivision 8 thereof relating to incurring indebtedness by such districts and providing for refunding of deposits for extensions, and to add a new section to said act to be numbered section 12a legalizing, ratifying, confirming and declaring valid certain obligations, acts, agreements and expenditures of such districts;

Also: Senate Bill No. 40—An act to amend section 6a of chapter 218, Statutes of 1921, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the annexation of municipalities and county water districts to municipal utility districts, and declaring the urgency of said amendment;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—9; committee vote: Ayes—8; absent—1.

HARPER, Chairman.

Senate Bills Nos. 34, 37 and 40 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 35—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 36—An act confirming, ratifying and declaring valid the formation and organization of Castro Valley County Water District and also all of the acts and proceedings of said district;

Also: Senate Bill No. 38—An act to enable municipalities to become annexed to municipal utility districts, to agree upon and give effect to terms and conditions of annexation and to transfer property to municipal utility districts in consideration of and upon annexation;

Also: Senate Bill No. 39—An act to amend chapter 592, Statutes of 1913, entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by adding a new section to be numbered 12a, relating to the annexation of county water districts to municipal utility districts, enabling the legislative body of any county water district to agree upon and give effect to terms and conditions of annexation and transfer property to municipal utility districts in consideration of and upon annexation, and declaring the urgency of said amendment;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

HARPER, Chairman.

Senate Bills Nos. 35, 36, 38 and 39 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, February 25, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 540—An act to amend section 653ac of the Civil Code, relating to the election and approval of trustees or directors of corporations formed to receive bequests, gifts and donations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—16; committee vote: Ayes—11.

CHRISTIAN, Chairman.

Senate Bill No. 540 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 229—An act to amend sections 674 and 900 of the Code of Civil Procedure, relating to recording of copy of judgments;

Also: Senate Bill No. 231—An act to amend sections 542a and 560 of the Code of Civil Procedure, relating to attachment;

Also: Senate Bill No. 476—An act to add section 6a to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws;

Also: Senate Bill No. 529—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Alameda, State of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—11.

CHRISTIAN, Chairman.

Senate Bills Nos. 229, 231, 476, and 529 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 81—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions;

Also: Senate Bill No. 500—An act to amend section 200 of the Code of Civil Procedure, relating to exemption from jury duty;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—16; committee vote: Ayes—11.

CHRISTIAN, Chairman.

Senate Bills Nos. 81 and 500 ordered on file for second reading.

RESOLUTION.

The following resolution was offered :

By Committee on Contingent Expenses :

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper funds in favor of the following named Senators and officers of the Senate for the amount set opposite each of their names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law.

Senators	County	Mileage	Total at five cents per mile
Allen, James M.	Siskiyou	590	\$29 50
Baker, C. C.	Monterey	418	20 80
Breed, Arthur H.	Alameda	168	8 40
Bush, David F.	Stanislaus	188	8 40
Carter, Henry E.	Los Angeles	944	47 20
Cassidy, Bert A.	Placer	74	3 70
Christian, E. H.	Alameda	182	9 10
Cleveland, George C.	Santa Cruz	446	22 30
Crittenden, B. S.	San Joaquin	136	6 80
Deuel, Charles E.	Butte	228	11 40
Duval, Walter H.	Ventura	996	49 80
Edwards, Nelson T.	Orange	970	48 50
Evans, H. J.	Los Angeles	914	45 70
Fellom, Roy	San Francisco	180	9 00
Harper, William E.	San Diego	1,146	57 30
Hays, Ray W.	Fresno	338	16 90
Ingels, R. R.	Mendocino	331	16 55
Inman, J. M.	Sacramento	2	10
Jones, Herbert C.	Santa Clara	256	12 80
Maloney, Thomas A.	San Francisco	180	9 00
McCormack, Thomas	Solano	124	6 20
McKinley, J. W.	Los Angeles	894	44 70
Mixter, Frank M.	Tulare	432	21 60
Moran, John L.	Tehama	274	13 70
Nelson, H. C.	Humboldt	624	31 20
Pedrotti, J. L.	Los Angeles	594	29 70
Rich, W. F.	Yuba	104	5 20
Riley, Joe	Los Angeles	1,090	54 50
Rochester, George W.	Los Angeles	894	44 70
Schottky, Andrew R.	Merced	228	11 40
Sharkey, Will R.	Contra Costa	124	6 20
Slater, Herbert W.	Sonoma	180	9 00
Swing, Ralph E.	San Bernardino	1,016	50 80
Tubbs, Tallant	San Francisco	180	9 00
Wagy, J. I.	Kern	556	27 80
Williams, Dan E.	Tuolumne	270	13 50
Young, Sanborn	Santa Clara	278	13 90
Officers			Total at ten cents per mile
Merriam, Frank F., President	Los Angeles	938	\$93 80
Beek, Joseph A., Secretary	Orange	990	99 00
Nolan, Joseph F., Sergeant-at-Arms	Los Angeles	894	89 40
Powers, Harold J., Minute Clerk	Modoc	832	83 20

(Signed out)

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—27.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, February 26, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 8½ of article XI of the constitution of said State, relating to city charters and to the mode of elections held thereunder—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, and re-referred to Committee on Municipal Corporations.

Committee membership—9; committee vote: Ayes—8.

ALLEN, Chairman.

Senate Constitutional Amendment No. 9 ordered re-referred to Committee on Municipal Corporations.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California to amend the constitution of said State by amending section 7½ of article XI, relating to charters of counties and the election of officers thereunder—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, and re-referred to Committee on County Government.

Committee membership—9; committee vote: Ayes—8.

ALLEN, Chairman.

Senate Constitutional Amendment No. 8 ordered re-referred to Committee on County Government.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to the constitution of said State by amending section 1¼ of article XIII, relating to exemptions of property on account of military service—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted, and re-referred to Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—8.

ALLEN, Chairman.

Senate Constitutional Amendment No. 6 ordered re-referred to Committee on Revenue and Taxation.

RECESS.

On motion of Senator Breed, at eleven o'clock and thirty-five minutes a.m., the President of the Senate declared recess until eleven o'clock and fifty minutes a.m.

RECONVENED.

At eleven o'clock and fifty minutes a.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Senator Crittenden:

SENATE CHAMBER, SACRAMENTO, February 26, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps or arms of bay that may be outside of the line of navigable waters.

Request referred to Committee on Rules.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, February 24, 1931.

*To the Honorable Members of the Senate of the State of California,
Sacramento, California.*

GENTLEMEN: Assembly Bill No. 1860 makes an appropriation to meet a deficiency in the appropriation for the support of the Fuel Tax Division of the State Board of Equalization.

In my opinion the appropriation is necessary for the usual current expenses of the State and constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully,

JAMES ROLPH, JR., Governor of California.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND EIGHT HUNDRED SIXTY.

Senator Swing asked for, and was granted, unanimous consent to take up for consideration Assembly Bill No. 1860, without reference to committee.

Assembly Bill No. 1860—An act making an appropriation to meet a deficiency in the appropriation for support of Fuel Tax Division, State Board of Equalization, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read third time.

CASE OF URGENCY.

The following resolution was offered:

By Senator Swing:

Resolved, That Assembly Bill No. 1860 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Waggy, Williams, and Young—29.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1860.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND EIGHT
HUNDRED SIXTY.

Assembly Bill No. 1860—An act making an appropriation to meet a deficiency in the appropriation for support of Fuel Tax Division, State Board of Equalization, for the eighty-first and eighty-second fiscal years, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1860 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At twelve o'clock and eleven minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Friday, February 27, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, February 27, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—32.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, February 26, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Carter was, on motion of Senator Rochester, granted leave of absence for this day.

Senator Allen was, on motion of Senator Bush, granted leave of absence for this day.

Senator Nelson was, on motion of Senator Breed, granted leave of absence for this day.

Senator Crittenden was, on motion of Senator Breed, granted leave of absence for this day.

Senator McKinley was, on motion of Senator Breed, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to teachers and pupils of Clarksburg High School of Yolo County, as follows: Teachers—Miss J. Lindquist, Miss R. Farey, and Mrs. B. Mitchell; and pupils—Gus Olson, Jr., John O. Sweeney, June Sweeney, Elberta McKenzie, Pansy T. Sakai, Theodore Fagunes, Boyd A. Taylor, Lawrence Schneider, Jackie Lawlor, Frederick Heringer, Shizu Hayashi, Yaeko Ishimoto, Kazuyo Oki, Helen Bremer, Marjorie Curran, Evelyn Fagunes, Mabel Neves, Martin Quintel, Tony Mesquita, David Sugimoto, George S. Miyaoko, Manuel Valine, Paul Burke, Mario Mesquita, Norman Lawlor, Joseph Borges, Jr., James Marshall, Roxana Holmes, Clyde Sal, Jane Reamer, Betty Alson, Billy Heringer, Margaret McMahon, Dorothy Schneider, Lorraine Soto, Freida Bremer, Princess King, William Azevedo, Joseph Rose, Jr., Ida Valine, Lorraine Monice, Rose Patricia Borgeir, Elva Louisa Burke, Florence Krull and Beth Taylor.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to D. D. Watson of Brentwood, president, California Real Estate Association.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Finnegan of the South of Market Street Boys Association.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 26, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 58—An act to amend section 1 of chapter 316, Statutes of 1927, entitled "An act to regulate the method of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, to include justice of the peace court and all other inferior courts now

existing or which may hereafter be provided by law—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6.

FELLOM, Chairman.

Senate Bill No. 58 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, February 24, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 80—An act to amend section 1382 of the Penal Code, relating to dismissal of an action for want of prosecution—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—10.

ROCHESTER, Chairman.

Senate Bill No. 80 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, February 27, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 325—An act to amend sections 8 and 14 of an act entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," approved March 1, 1929, relating to taxes upon banks and corporations;

Also: Senate Bill No. 326—An act to amend sections 5, 9, 13, 24, 25, 26, 27 and 32 of chapter 13, Statutes of 1929, entitled "An act to carry into effect the provisions of section 16 of article XIII of the constitution of the State of California, relating to bank and corporation taxes," relating to taxes upon banks and corporations; And reports that the same have been correctly enrolled and presented to the Governor on the twenty-seventh day of February, at ten o'clock and fifteen minutes a.m.

RILEY, Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, February 27, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 691—An act to amend chapter 379, Statutes of 1915, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent therewith";

Also: Senate Bill No. 747—An act to amend section 637½ of the Penal Code, relating to protection of fish and game; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

YOUNG, Chairman.

Senate Bills Nos. 691 and 747 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 304—An act to amend section 626e of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 508—An act to amend section 626s of the Penal Code, relating to the protection of fish and game; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—11.

YOUNG, Chairman.

Senate Bills Nos. 304 and 508 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, February 27, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 452—An act to amend section 4.821 of the School Code, relating to the increase of apportionments to elementary school districts;

Also: Senate Bill No. 236—An act to repeal section 1.13 of the School Code, relating to the attendance of Indian children upon public schools;

Also: Senate Bill No. 239—An act to repeal sections 2.1197 and 2.1198 of the School Code, relating to the appointments of trustees by superintendents of schools of counties to fill vacancies in school district governing boards;

Also: Senate Bill No. 240—An act to amend section 3.5 of the School Code, relating to the opening and maintenance of schools in school districts;

Also: Senate Bill No. 241—An act to repeal sections 3.120 and 3.121 of the School Code, relating to the admission of children to kindergarten;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bills Nos. 452, 236, 239, 240 and 241 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 242—An act to amend section 3.331 of the School Code, relative to the payment of tuition and transportation of high school pupils attending high school in an adjoining state;

Also: Senate Bill No. 243—An act to amend section 3.339 of the School Code, relating to the transportation of high school pupils;

Also: Senate Bill No. 244—An act to repeal section 3.637 of the School Code, relating to the admission of deaf children to schools established for the deaf;

Also: Senate Bill No. 246—An act to add a new article to chapter I of part II of division II to the School Code, to be numbered article IX, embracing sections 2.860 to 2.866, both inclusive, and to repeal article XII, embracing sections 2.1010 to 2.1016, both inclusive, of chapter II of part II of division II of the School Code, all relating to annual meetings of school trustees;

Also: Senate Bill No. 248—An act to amend section 2.101 of the School Code, relating to petitions for the changing of school district boundaries;

Also: Senate Bill No. 249—An act to amend section 1.32 of the School Code, relating to causes for suspension or expulsion of pupils from the public schools;

Also: Senate Bill No. 250—An act to amend section 1.33 of the School Code, relating to the injuring of the property of a school district;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bills Nos. 242, 243, 244, 246, 248, 249 and 250 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 827—An act to amend section 4.730 of the School Code, and to repeal sections 4.731 and 4.732, relating to the duty of the Superintendent of Public Instruction to make certain reports to the State Controller;

Also: Senate Bill No. 828—An act to amend section 4.721 of the School Code, relating to the determination of the units of average daily attendance in schools closed by boards of health or public disaster;

Also: Senate Bill No. 835—An act to amend sections 4.340, 4.343, 4.344, 4.346, 4.347, 4.350 and 4.351 of the School Code, and to repeal section 4.348 thereof, all relating to orders and requisitions upon school district funds;

Also: Senate Bill No. 836—An act to amend section 2.1220 of the School Code, relating to reports by school superintendents to the Superintendent of Public Instruction and to county boards of supervisors;

Also: Senate Bill No. 837—An act to repeal article V, embracing sections 4.320 to 4.334, both inclusive, of chapter I of part III of division IV of the School Code, relating to claims against school district funds;

Also: Senate Bill No. 838—An act to amend sections 5.611 and 5.616 of the School Code, relating to the payment of expenses of holding teachers' institutes;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bills Nos. 827, 828, 835, 836, 837 and 838 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 841—An act to amend section 4.440, and to repeal section 4.441 and article II, embracing sections 4.450 to 4.455, both inclusive, of chapter III of part III of division IV of the School Code, all relating to kindergarten funds of elementary school districts and taxes thereof;

Also: Senate Bill No. 844—An act to amend section 3.292 of the School Code, relating to apportionments of State and county funds to high school districts; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bills Nos. 841 and 844 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 830—An act to amend the title of article VI of chapter I of part IV of division V of the School Code and to amend sections 4.750 and 4.751 thereof, relating to the average daily attendance in school district—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bill No. 830 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 350—An act relating to the formation, organization and proceedings of bridge and highway districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 39, of the printed bill, insert after the word "sold", the following "and where an election has been called and held to vote upon a proposition of incurring such bonded indebtedness of such district and more than two-thirds of the votes cast at such election upon such proposition were favorable to the incurring of such indebtedness".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, lines 30 and 31, of the printed bill, add new section 6 to read as follows:

"Sec. 6. This act shall not operate to legalize any bonds which mature more than forty (40) years from their date or dates or which will exceed the limitation of indebtedness prescribed by said act."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 31, of the printed bill, change "Sec. 6" to "Sec. 7".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, after the word "amended", add "and which have been declared to be duly incorporated, formed and organized by any certificate or purported certificate of incorporation issued by the secretary of state at any time prior to the adoption of this act."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 13, of the printed bill, strike out the words "prior to the taking effect of this act".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, lines 13 to 15 inclusive, of the printed bill, strike out "are hereby declared to be legally and duly formed, organized, established, incorporated and existing bridge and highway districts." and insert in lieu thereof "are hereby declared to have been legally and duly incorporated, formed and organized as of the respective dates the secretary of state issued such certificates of incorporation, and the incorporation of such bridge and highway districts is hereby validated and confirmed,".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 1, of the printed bill, strike out the word "districts,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 5, of the printed bill, insert "such" before the words "bridge and highway district".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 6, of the printed bill, strike out the words "which has heretofore acted as a bridge and highway district".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 18, of the printed bill, insert "such" before the words "bridge and highway district".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 35, of the printed bill, insert "such" before the words "bridge and highway district".

Amendment adopted.

AMENDMENT NUMBER ELEVEN A.

On page 2, line 36, of the printed bill, strike out the words "which has heretofore acted as such".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 46, of the printed bill, insert "such election or" before the words "issuance of such bonds".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 47, of the printed bill, after the period insert:

"Moreover, there are at the present time a large number of persons in the State of California who are unemployed and who are without means of livelihood. The construction of bridges and other works by bridge and highway districts of this state will furnish work for a large number of such persons and prevent them from becoming public charges."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 47, of the printed bill, strike out beginning with the word "unless", to the end of the bill, and insert in lieu the following:

"If the provisions of this act become a law immediately, the sale by such bridge and highway districts of their securities will be furthered, and they will thereby be enabled to obtain without delay the necessary funds for the construction of such bridges and works, and for the employment of a large number of persons hereinabove

mentioned who are now without employment, and said districts will also be materially aided in securing bids from contractors and others for the construction of such bridges and works and for the supplying of materials therefor."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 43, of the printed bill, after the word "bridges", insert "and other works".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 34—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, by amending section 2 of said act relative to the formation of districts organized thereunder and by amending sections 20 and 21 of said act relative to the levy and collection of taxes in such districts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the word "five", and insert in lieu thereof the word "three".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 35—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 36—An act confirming, ratifying and declaring valid the formation and organization of Castro Valley county water district and also all of the acts and proceedings of said district.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 38—An act to enable municipalities to become annexed to municipal utility districts, to agree upon and give effect to terms and conditions of annexation and to transfer property to municipal utility districts in consideration of and upon annexation.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 37—An act to amend sections 6b, 8, 9, 10, 11, 18, 20 and 23 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay

the principal and interest thereon," approved May 23, 1921, as amended, also to add a new section to said act to be numbered 6e relating to the limitation of time for commencing actions to contest the validity of proceedings for the annexation of territory to municipal utility districts, also to amend section 12 of said act as amended by amending subdivision 8 thereof relating to incurring indebtedness by such districts and providing for refunding of deposits for extensions, and to add a new section to said act to be numbered section 12a, legalizing, ratifying, confirming and declaring valid certain obligations, acts, agreements and expenditures of such districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, lines 16 and 17, of the printed bill, strike out the words "Unincorporated territory may be annexed to said district in the manner following:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 20, of the printed bill, insert after the word "annexed", the following: "*provided, however, that not more than one hundred signatures shall be required,*".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 46, of the printed bill, after the word "for", strike out the word "the".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 26, of the printed bill, strike out the word "receives", and insert in lieu thereof the word "receives".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 39—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by adding a new section to be numbered 12a, relating to the annexation of county water districts to municipal utility districts, enabling the legislative body of any county water district to agree upon and give effect to terms and conditions of annexation and transfer property to municipal utility districts in consideration of and upon annexation, and declaring the urgency of said amendment.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 40—An act to amend section 6a of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest

thereon," approved May 23, 1921, as amended, relating to the annexation of municipalities and county water districts to municipal utility districts, and declaring the urgency of said amendment.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 17, of the printed bill, strike out the word "municipality", and insert in lieu thereof the word "municipal".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 2, of the printed bill, after the word "county", strike out the word "or".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 540—An act to amend section 653*ac* of the Civil Code, relating to the election and approval of trustees or directors of corporations formed to receive bequests, gifts, and donations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 229—An act to amend sections 674 and 900 of the Code of Civil Procedure, relating to recording of copy of judgments.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 231—An act to amend sections 542*a* and 560 of the Code of Civil Procedure, relating to attachment.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 476—An act to add section 6*a* to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 529—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Alameda, State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 81—An act to amend section 583 of the Civil Code, relating to the dismissal of actions.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "failed", insert the word "for".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 500—An act to amend section 200 of the Code of Civil Procedure, relating to exemption from jury duty.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "civil", insert the word "naval".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 9, of the printed bill, after the semicolon, insert the following: "or a person who is incompetent under subdivision three of the preceding section;"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, February 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 489—An act to amend sections 4005c and 4006 of the Political Code, relating to the population and classification of counties, and declaring same an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bill No. 489 ordered to enrollment.

• REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, February 27, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 274—An act to amend the Political Code by amending sections 3454, 3457, 3465, 3466, 3466½ as enacted by chapter 374, Statutes of 1921; 3468, 3480 and 3480a, relating to reclamation districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to this committee.

Committee membership—5; committee vote: Ayes—3; absent—2.

EVANS, Vice Chairman.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-FOUR.

Senate Bill No. 274—An act to amend the Political Code by amending sections 3454, 3457, 3465, 3466, 3466½ as enacted by chapter 374, Statutes of 1921; 3468, 3480 and 3480a, relating to reclamation districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the figures "3454", and insert in lieu thereof the following: "3456, 3460, 3462,".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out the figures "3457".

Amendment adopted.

AMENDMENT NUMBER THREE.

In lines 2 and 3 of the title of the printed bill, strike out the following: "3466 $\frac{1}{2}$ as enacted by chapter 374, statutes of 1921; 3468," and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 3 of the title of the printed bill, strike out the word and figures "and 3480a".

Amendment adopted.

AMENDMENT NUMBER FIVE.

In line 4 of the title of the printed bill, strike out the period following the word "districts", and insert in lieu thereof a comma and the following: "and adding a new section thereto to be numbered 3466a, relating to sales and leasing of lands sold and held by reclamation districts or county treasurers as trustees."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 1, of the printed bill, strike out "3454", and insert in lieu thereof the figures "3456".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

Commencing on page 1, line 3, of the printed bill, strike out all of lines 3 to 27, inclusive, strike out all of pages 2 and 3, and on page 4, of the printed bill, strike out lines 1 to 27, inclusive, and insert in lieu thereof the following:

"3456. (a) If such reclamation district is located, in whole or in part, within the Sacramento and San Joaquin drainage district, then if and when the said reclamation board shall have approved the plan or plans of the works of reclamation, after a hearing as provided in section 3455 of this code, then the board of trustees of the reclamation district shall so report to the board of supervisors of the county within which the district or the greater part thereof is situate, and shall set forth in their said report the estimated cost of the said works of reclamation, and petition the said board of supervisors to appoint three commissioners who shall have no interest in any real estate within said district, each of whom, before entering upon his duties, shall make and subscribe an oath that he is not in any manner interested in any real estate within said district, directly or indirectly, and that he will perform the duties of a commissioner to the best of his ability. Upon receipt of said petition from the board of trustees the board of supervisors to whom the same was presented must within not more than sixty days appoint said assessment commissioners above referred to. Said commissioners must view and assess upon the land within said district the said sum so estimated and shall apportion the same according to the benefits that will accrue to each tract of land in said district, respectively, by reason of the expenditures of said sums of money, and shall estimate the same in gold coin of the United States. The sums must be collected and paid into the county treasury as hereinafter provided, and be placed by the treasurer to the credit of the district, and paid out for the works of reclamation upon the warrants of the trustees, approved by the board of supervisors, or, if bonds of such district have been issued upon said assessment, then said treasurer shall set the same apart as a separate fund for the purpose of paying the principal and interest of such bonds, and shall not pay any part of the moneys received from such assessment for any purpose other than the payment of the principal and interest of such bonds.

(b) In all cases when the work contemplated by the original or any supplemental plan of reclamation of any reclamation district shall have been completed, the trustees may so report to the board of supervisors of the county in which the district, or the greater part thereof is situate, together with a petition to the said board of supervisors to appoint assessment commissioners. Said report and petition shall set forth that the work contemplated by the original or supplemental plan of reclamation has been completed, and that hereafter the said reclamation district will only require funds for the maintenance and repair of the said works of reclamation. Upon filing said report and petition the said board of supervisors shall appoint three commissioners, each of whom shall be similarly qualified, and shall make and subscribe the same oath as is provided hereinabove for commissioners. When so appointed and so qualified such commissioners shall prepare an assessment list, which list shall contain the following information in separate columns:

1. A description of each tract assessed by legal subdivisions, swamp land surveys, or other boundaries sufficient to identify the same.
2. The number of acres in each tract.

3. The names of the owners of each tract, if known; and if unknown, that fact; but no mistake or error in the name of the owner or supposed owner of the property assessed, and no mistake in any other particular, shall render the assessment thereof invalid.

4. The assessment valuation per acre of each tract assessed.

5. The total assessment valuations of each said tract.

6. A blank column for rate to be fixed as shown hereinafter.

7. A blank column for amount of assessment to be computed as shown hereinafter.

Thereafter said assessment valuations shall be used as a basis for assessments in raising funds for the maintenance and repair of the works of reclamation and incidental expenses of said district. Said assessment list, when completed, shall be filed with the clerk of the board of supervisors in the same manner as a report made under an original or modified plan of reclamation. Thereupon the said board of supervisors shall appoint a time when it will meet for the purpose of hearing objections; said objections, if any, must be in writing, verified, and filed with the clerk of said board of supervisors. Notice of the said hearing shall be given in the same manner and for the same time as notice of hearing objections to an original assessment. At said hearing, the board of supervisors shall hear such evidence as may be offered in support of said written objections, and may modify or amend the said assessment valuations in any particular. No objections to said assessment valuations shall be considered by the board of supervisors, or allowed in any other action or proceeding, unless said objections shall have been made in writing to the board of supervisors within thirty days after the first publication of notice of hearing objections, if any, to said assessment valuations.

Any person aggrieved by the decision of the board of supervisors may commence an action in the superior court of the county in which the greater part of the said district is situate, to have said assessment valuations corrected, modified or annulled. Such action must be commenced within thirty days after said assessment valuations have been approved by the board of supervisors. If said action shall not be commenced within thirty days, no action of defense shall thereafter be maintained attacking the legality of said assessment valuations in any respect.

Thereafter, whenever, in the opinion of the trustees of the district, it shall be necessary to raise any sum for the construction, maintenance or repair of the works of reclamation, or for the incidental expenses of the district, the said board of trustees shall make an order, which order shall be entered in the minutes of the board and shall recite the total amount necessary to be raised and shall fix a rate designating the number of cents to be levied on each one hundred dollars of assessment valuation shown on the list prepared and approved in the manner hereinabove provided.

Thereafter the board of trustees must complete said assessment list by inserting the rate and the total assessment in columns six and seven as provided therefor.

The assessment made in pursuance hereof shall be filed with the county treasurer and thereafter collected in the same manner provided for the collection of any original assessment: *provided, however*, that the board of trustees may, in their discretion, direct the payment of any such assessment in one installment.

The report of assessment commissioners as herein provided, fixing the assessment valuations for reclamation purposes, after having first been approved by the board of supervisors as hereinabove provided, shall continue in force as the basis for raising necessary funds for construction, maintenance and repair of the works of reclamation, and for incidental expenses of the district until the trustees of said district, or the holders of title or evidence of title representing fifteen per cent or more of the lands within the district, shall petition said board of supervisors to make an order directing the commissioners who made the original assessment list or other commissioners, to be named in such order to prepare a new assessment list. Such commissioners must have the same qualifications and take the same oath as the original assessment commissioners.

The assessment list when so prepared by said commissioners shall be filed with the clerk of the board of supervisors, and shall thereafter in all respects be subject to the same provisions as an original assessment list. All provisions of this code relating to collection of unbonded assessments and sale of land for delinquent assessments, and for sale, leasing and other disposition of land as in section 3466a of this code provided, shall be applicable to assessments levied in accordance with the provisions of this section."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 28, of the printed bill, strike out "3457", and insert in lieu thereof the following: "3460".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, commencing on line 30, of the printed bill, strike out all of lines 30 to 49, inclusive, and insert in lieu thereof the following:

"3460. The commissioners appointed by the board of supervisors must make a list of the charges assessed against each tract of land; and if there be any error or mistake in the description of the land, or in the name of the owner, or if any land which should be assessed has been or shall be omitted from the list, or if there is any error or mistake in any other respect, the commissioners may amend or correct the same at any time before the lists shall have been approved by the board of supervisors as hereinafter provided. When any tract of land upon which an assessment or assessments shall have been made shall be subdivided into smaller parcels, the board of trustees of the district shall reapportion the assessment or assessments upon such tract, including assessments or portion thereof which have become delinquent together with the delinquencies thereon, in such manner as will charge each of said smaller parcels with a just proportion of assessment or assessments previously made upon said tract so subdivided and with a just proportion of said delinquencies. Assessments and delinquencies thereon on tracts of land which have become delinquent and which have been sold for delinquency pursuant to the provisions of section 3466 or section 3480 of this code, and which have been subdivided, shall be reapportioned in the same manner and with the same effect as if such tract had not been so sold. As a condition to the making of any reapportionment as in this section provided the board of trustees shall require that each parcel of such subdivided tract be given suitable means of ingress and egress. Said board of trustees shall file with the clerk of the board of supervisors of the county a list or lists of the charges assessed against each of said parcels. Said reapportionment shall be approved by the board of supervisors in the manner provided in section 3462 of this code. Said lists after such approval shall be filed with the county treasurer of the county and shall have the same effect as on original assessment.

SEC. 3. Section 3462 of the Political Code is hereby amended to read as follows:

3462. Said lists, when completed, shall be filed with the clerk of the board of supervisors of the county. The board of supervisors shall appoint a time when it will meet for the purpose of hearing objections to said assessment, and notice of such hearing shall be given by publication for two weeks in some newspaper of general circulation published in said county.

At any time before the date of such hearing, any person interested in any land upon which any charge has been assessed may file written objections to such assessment, stating the grounds of such objections, which said statement shall be verified by the affidavit of such person, or some other person who is familiar with the facts. At said hearing the board of supervisors shall hear such evidence as may be offered in support of said written objection and may modify or amend the said assessment in any particular, or make a reapportionment of the entire assessment. If the amount of any assessment in said list shall be changed, the board of supervisors shall set a day for hearing objections to said assessment as changed, and shall give notice thereof by publication for two weeks in some newspaper published in the county. At such hearing objections in writing may be made by any person interested, and the board of supervisors shall proceed to hear the same in the same manner as upon the original hearing. If the amount of any assessment shall again be changed the board of supervisors shall proceed as before to give notice and to hear objections thereto, and shall proceed in a similar manner until the amount of each assessment shall be finally fixed and approved. The board of supervisors shall then make an order approving said assessment, and shall indorse such order upon said assessment list, which said indorsement shall be signed by the chairman of said board of supervisors and attested by the clerk thereof, and such decision of said board of supervisors shall be final, and thereafter said assessment list shall be conclusive evidence that the said assessment has been made and levied according to law, except in an action commenced as hereinafter provided. The lists shall be prepared in duplicate, one original thereof being retained in the office of the district, and the second original thereof shall then be filed with the county treasurer, or, if the district is situated in more than one county, then the said second original list must be filed in the county where the greater portion of the lands of said district is situated (designated as the main county), and copies thereof certified by the treasurer must be filed with the treasurer of each of the other counties.

No objection to such assessment shall be considered by the board of supervisors, or allowed in any other action or proceeding, unless such objection shall have been made in writing to the board of supervisors as above specified.

Any person aggrieved by the decision of the board of supervisors may commence an action in the superior court of the county in which the greater part of said district is situated to have said assessment corrected, modified or annulled. Such action must be commenced within thirty days after said assessment list has been filed in the office of the county treasurer. If said action shall not be commenced within thirty days, no action or defense shall thereafter be maintained attacking the legality of said assessment in any respect.

The provisions of this section shall apply in all respects to an assessment list made under the provisions of subdivision b of section 3456."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 50, of the printed bill, strike out the figure "3" following the word "Sec.", and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 5, line 2, of the printed bill, after the word "treasurer", strike out the word "for", and insert in lieu thereof the following: "and for a period of".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 5, line 2, of the printed bill, strike out the words "and during said time".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, line 15, of the printed bill, after the period following the word "reduction", insert the following: "Whenever the district is situated in more than one county the county treasurers of each county wherein any of the lands assessed are situated shall report to the county treasurer of the main county all payments made of assessments on all tracts of land, whether in cash or warrants, immediately upon such payments being made."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 16, of the printed bill, strike out the figure "4" following the word "Sec.", and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 18, of the printed bill, after the word "of", insert the following: "said period of".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, commencing on line 18, of the printed bill, strike out the words "unless bonds shall have been authorized the treasurer must return the list to the board of trustees of the district, and".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 48, of the printed bill, after the word "publish", insert the following: "two times, to wit:".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 2, of the printed bill, after the period following the word "situated", insert a new paragraph as follows:

"Whenever the district is situated in more than one county, the county treasurers of each county wherein any of the lands assessed are situated, shall, immediately following the expiration of said period of sixty days, report to the county treasurer of the main county all payments made of assessments on each tract of land respectively and shall also report all tracts which are delinquent, as hereinafter provided, together with the delinquencies thereon."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 6, line 5, of the printed bill, strike out the words "whole remaining uncalled portion of said assessment", and insert in lieu thereof the following: "said installment".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 6, commencing on line 11, of the printed bill, strike out the words "trustees of the district must publish in one notice a list of all said delinquencies at least", and insert in lieu thereof the following: "county treasurer of the main county

must publish in each county where such delinquencies exist, a list in one notice of all said delinquencies in such county at least two times, to wit:".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 6, commencing on line 14, of the printed bill, strike out the words "the county where said district or the greater part thereof is situated, which", and insert in lieu thereof the following: "said county. Said".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 16, of the printed bill, after the comma following the word "assessed", where said word first appears on said line, insert the following: "as described in the assessment list or by reference number as set forth in said assessment list on file in the office of the county treasurer (stating the date and time said list was so filed) or by other appropriate reference thereto sufficient to identify the same, and shall refer to said list for further particulars. Said notice shall also contain".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 18, of the printed bill, strike out the words "then due on said property", and insert in lieu thereof the following: "of the delinquent installment, penalty and interest thereon calculated to the date of sale".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 6, line 19, of the printed bill, after the word "sold", insert the following: "by the county treasurer of the main county".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 6, line 21, of the printed bill, strike out the words "then due on said property", and insert in lieu thereof the following: "of said installment with accrued interest and penalty".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 25, of the printed bill, strike out the word "trustees", and insert in lieu thereof the following: "said county treasurer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, commencing with line 27, of the printed bill, strike out the words "trustees must pay the amount due on said property as shown in said notice to the county treasurer who shall place the same", and insert in lieu thereof the following: "county treasurer shall place the amount due on said property as shown in said notice".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, commencing with line 29, of the printed bill, strike out the period following the word "district", and strike out the following: "The trustees must", and insert in lieu thereof the words "and shall".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 6, line 31, of the printed bill, strike out the words "after such payment to the county treasurer".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 6, commencing on line 36, of the printed bill, strike out the words "district shall become the purchaser and the said property must be struck off to the district", and insert in lieu thereof the following: "county treasurer of the main

county shall bid in and sell said property to himself and his successors in office as trustee for the district, and said property shall be struck off to him".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 39, of the printed bill, strike out the word "trustees", and insert in lieu thereof the words "county treasurer".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 6, line 39, of the printed bill, strike out the word "district", and insert in lieu thereof the words "county treasurer".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 40, of the printed bill, strike out the words "the district", and insert in lieu thereof the word "him".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 6, line 46, of the printed bill, strike out the words "two per cent per month", and insert in lieu thereof the following: "seven per cent per annum".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 6, line 48, of the printed bill, strike out the words "or the district", and insert in lieu thereof the following: "upon demand and surrender by him of certificate of purchase, or the county treasurer".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 49, of the printed bill, strike out the word "district", and insert in lieu thereof the word "him".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, commencing on line 49, of the printed bill, strike out the word "trustees", and insert in lieu thereof the words "county treasurer".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

Commencing on page 7, line 2, of the printed bill, strike out the words "The trustees may sell said property", and strike out all of lines 3 to 52, inclusive, and on page 8, of the printed bill, strike out all of lines 1 to 36, inclusive, and insert in lieu thereof the following: "Any parcel of land bid in and purchased by a county treasurer as aforesaid, as trustee of the district, may be sold and conveyed by him or his successors in office at any time after the expiration of said redemption period at public or private sale, and with or without notice, to any person paying him the amount for which said parcel was bid in by said county treasurer at delinquent sale, with interest thereon at the rate of seven per cent per annum, compounded yearly from the date of said delinquent sale together with any call that has been made upon any prior or subsequent assessment; and the deed executed by the county treasurer in pursuance of such sale shall convey said property free of all liens and encumbrances except state, county and municipal taxes and any prior or subsequent district assessment and any taxes or assessments of irrigation, conservation or water storage districts. After the lapse of one year from and after the expiration of the period for redemption such parcel may be sold as in section 3466a of this code provided."

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 8, line 37, of the printed bill, strike out the figure "7" after the word "Sec.", and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 13, commencing on line 18, of the printed bill, strike out the words "to the credit of", and insert in lieu thereof the following: "and, except as otherwise provided in section 3466a of this code, shall be credited to".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 13, commencing on line 19, of the printed bill, strike out the comma following the word "district", and strike out the words "and shall be", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 13, line 45, of the printed bill, after the comma following the word "full", insert the following: "or cancelled as provided by law,".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 15, line 11, of the printed bill, after the word "published", insert the following: "two times, to wit:".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 15, commencing on line 16, of the printed bill, strike out the following: "(amount or proportion thereof including interest thereon or only for interest)", and insert in lieu thereof the following: "\$-----, being ----- per cent".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 15, line 21, of the printed bill, strike out the words "or interest".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 15, commencing with line 22, of the printed bill, strike out the words "together with accrued interest thereon, with one dollar".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 15, line 24, of the printed bill, strike out the words "and interest".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 15, line 33, of the printed bill, strike out the words "one dollar together with".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 15, line 34, of the printed bill, strike out the words "and interest".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 15, line 35, of the printed bill, strike out the period following the word "treasurer", and insert in lieu thereof the following: "and the amount of said delinquency including penalty shall bear interest at the legal rate from the date of delinquency to the date of sale for delinquency as hereinafter provided".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 15, line 36, of the printed bill, after the word "publish", insert the following: "two times, to wit:".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 15, line 40, of the printed bill, strike out the word "containing", and insert in lieu thereof the following: "of all said delinquencies. Said notice shall contain".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 15, line 43, of the printed bill, after the word "list", insert the following: "or by reference number as set forth in said assessment list on file in the office of the county treasurer (stating the date and time said list was so filed) or by other appropriate reference thereto sufficient to identify the same, and shall refer to said list for further particulars. Said list shall also contain".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 15, line 46, of the printed bill, strike out the word "reckoned", and insert in lieu thereof the word "calculated".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 16, line 22, of the printed bill, strike out the words "bond fund of said".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 16, line 30, of the printed bill, strike out the word "twelve", and insert in lieu thereof the word "seven".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 16, line 34, of the printed bill, after the comma following the word "assigns", insert the following: "or to himself as trustee of the district if the property shall have been sold to him,".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 16, line 43, of the printed bill, after the words "to the", insert the following: "county treasurer as trustee of the".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 17, commencing on line 6, of the printed bill, strike out the words "bond fund of the".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 17, commencing with line 21, of the printed bill, strike out the words "If any land so held", and strike out all of lines 22 to 28, inclusive, and on line 29 strike out the words "fund of the district", and insert in lieu thereof the following: "After the lapse of one year from and after the expiration of the period of redemption, such parcel may be sold as in section 3466a of this code provided."

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 17, line 32, of the printed bill, after the period following the word "district", insert a new paragraph as follows:

"The provisions of this section, as hereby amended, shall apply to all sales for delinquencies, and the proceedings had in connection therewith, on all assessments heretofore or hereafter to be levied."

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 18, line 52, of the printed bill, after the period following the word "provided", insert as a new paragraph, the following:

"Sec. 7. A new section is hereby added to the Political Code, to be numbered 3466a, and to read as follows:

3466a. After the lapse of one year from and after the expiration of the period of redemption of any land sold to the district, or county treasurer as trustee for the district, either pursuant to the provisions of section 3466 or section

3480 of this code, the county treasurer of the main county, when and as directed by the board of trustees of the district, may then sell any land remaining unsold, to the highest bidder for cash at the front door of the courthouse of the main county of the district after giving previous notice of such sale, and the time and place of holding the same, by publication thereof in some newspaper published in the county in which the land to be sold or some portion thereof is situated for two times, to wit: once a week for two successive weeks. It shall be sufficient to describe said land in said notice by reference number as set forth in the assessment lists to which reference shall be made in said notice, and to the date and time of filing same, for further particulars. The trustees of the district shall have the right to reject any and all bids and no bid shall be accepted for an amount less than such price as shall be approved by them. One or more parcels of such land may be included in the same notice and sold severally at the time and place set forth in said notice. Upon such last mentioned sale being made as herein provided, the said county treasurer shall execute a deed to the purchaser conveying the land sold, upon payment of the price bid, which deed shall have the effect of conveying title to the land sold to the purchaser free of encumbrance, except district assessments (including the unpaid balance of said assessment for the delinquency of which said property was sold) which upon the date of the sale herein provided had not been called, and except as may be otherwise provided by law, and such deed duly executed and acknowledged shall be prima facie evidence that all the proceedings for the levy and collection of the delinquent assessment for which said land was sold, and all of the proceedings for the sale of said land have been duly and regularly taken, and all notices required to be given or published have been so duly given and published for the time and manner as required by law.

Where any land has been sold for a delinquent assessment, pursuant to the provisions of section 3466, 3480 or 3480a of the Political Code for a delinquent assessment or installment of the same and no redemption has been made and the time for redemption has expired, the district shall have the right to the possession of the land so sold and unredeemed and the board of trustees shall have the right to bring and maintain any and all actions in equity or law in connection with said land and the protection of the district's rights therein to the same extent as any other owner; and the costs and expenses of such action or actions shall be a charge against the district. The board of trustees shall also have the right to expend funds of the district in such amounts that may from time to time be necessary for the purpose of retiring any and all liens against such land superior to the title of the county treasurer therein. The trustees of the district shall have the management and control of, and right to lease out to a tenant or tenants for such reasonable rental and upon such terms as such trustees may deem advisable, any and all lands in the district which have been sold to the county treasurer, as trustee, for delinquent assessments, where the time for redemption has expired and said lands remain unsold and to receive and collect the rental for the same. All rentals collected or moneys received by the trustees of the district from such lease of land or for the use or occupation of such land may be applied by them to the payment of the incidental expenses of holding and leasing said lands and to the payment of any other incidental expenses of, or legal charge against the district: *provided, however*, that all rentals collected or moneys received from lease of land sold to the county treasurer as trustee of the district pursuant to the provisions of section 3480 of this code or for the use or occupation of such land, less the incidental expenses of leasing or holding the same, shall, in the event said district shall be in default for interest or principal payments on any of said bonds issued by said district, be deposited in said county treasury of the main county, to the credit of the bond fund of the district. The provisions hereof shall apply to all lands heretofore sold for delinquency to a district or to the county treasurer, as trustee for the district, as well as to future sales under assessments whether heretofore, or hereafter to be, levied."

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

Commencing on page 19, of the printed bill, strike out all of pages 19, 20, 21, 22, 23, 24, 25, 26, 27 and 28.

Amendment adopted.

Senate Bill No. 274 read second time, ordered to print, and re-referred to Committee on Drainage Swamp and Overflowed Lands.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON PRISONS AND REFORMATORIES.

SENATE CHAMBER, SACRAMENTO, January 14, 1931.

MR. PRESIDENT: Your Committee on Prisons and Reformatories, to which was referred Senate Concurrent Resolution No. 7—Relative to the establishment of a State prison in one of the southern counties of the State of California—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted as amended.

(Signed out)

PEDROTTI, Chairman.
CASSIDY.
RILEY.
MALONEY.
WILLIAMS.
DEUEL.
INGELS.

Senate Concurrent Resolution No. 7 ordered on file.

ADJOURNMENT.

At eleven o'clock and fifty-one minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, March 2, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, March 2, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, February 27, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Crittenden was, on motion of Senator Mixter, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. W. B. Young of Bishop, California.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. J. D. Lumis of Marysville, California.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read :

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 38—An act to enable municipalities to become annexed to municipal utility districts, to agree upon and give effect to terms and conditions of annexation and to transfer property to municipal utility districts in consideration of and upon annexation;

Also: Senate Bill No. 476—An act to add section 6a to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 231—An act to amend sections 542a and 560 of the Code of Civil Procedure, relating to attachment;

Also: Senate Bill No. 529—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Alameda, State of California;

Also: Senate Bill No. 540—An act to amend section 653ac of the Civil Code, relating to the election and approval of trustees or directors of corporations formed to receive bequests, gifts, and donations;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 35—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 36—An act confirming, ratifying and declaring valid the formation and organization of Castro Valley County Water District and also all of the acts and proceedings of said district;

Also: Senate Bill No. 39—An act to amend chapter 592, Statutes of 1913, entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by adding a new section to be numbered 12a, relating to the annexation of county water districts to municipal utility districts enabling the legislative body of any county water district to agree upon and give effect to terms and conditions of annexation and transfer property to municipal utility districts in consideration of and upon annexation, and declaring the urgency of said amendment;

Also: Senate Bill No. 229—An act to amend sections 674 and 900 of the Code of Civil Procedure, relating to recording of copy of judgments;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Cassidy:

Senate Joint Resolution No. 10—Relative to Englebright Fire Prevention Bill H. R. 3245.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER TEN.

Senator Cassidy asked for, and was granted, unanimous consent to take up, at this time, without reference to committee, Senate Joint Resolution No. 10 for purpose of adoption.

SENATE JOINT RESOLUTION No. 10.

Relative to Englebright Fire Prevention Bill H. R. 3245.

WHEREAS, There is pending in Congress the Englebright Fire Prevention Bill H. R. 3245, calling for an appropriation of \$4,000,000 for improvement and protection of the national forests; and

WHEREAS, From the above appropriation \$200,000 is specifically appropriated for range improvements and rodent control in national forests; and

WHEREAS, The fire menace is becoming an ever increasing hazard because of the influx of tourists into mountainous sections of California; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly. That we most heartily approve and endorse the Englebright Fire Prevention Bill H. R. 3245 and urge our representatives in Congress to support its passage; and that the President of the United States be requested to attach his signature thereto, so that it may become a federal law; and, be it further

Resolved. That the Secretary of the Senate is hereby directed to transmit copies of this resolution by telegraph to the President and Vice President of the United States, the Speaker of the House of Representatives, and to senators and representatives of California in the Congress of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 10 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, and Young—28.

NOES—None.

Senate Joint Resolution No. 10 ordered transmitted to the Assembly.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Harper:

SENATE CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation for the purchase of an aeroplane for the use of the Governor of the State of California.

Request referred to Committee on Rules.

PRESENTATION OF PETITION.

The following petition was presented and ordered printed in the Journal:

By Senator Harper:

SAN DIEGO ATHLETIC CLUB, SAN DIEGO, CALIFORNIA.

WHEREAS, A great need now is actually present for the use of air transportation for the Chief Executive of the State of California; and,

WHEREAS, Such air transportation should be provided by the State of California, through a State-owned airplane of suitable type, for the more efficient and expeditious administration of the duties of the said Chief Executive; now, therefore, be it and it is hereby

Resolved. That State Senator W. E. Harper and State Assemblyman Ed. L. Head, representing said State of California from this district, be requested immediately to introduce bills in the Senate and in the Assembly which shall have for their purpose and object the purchase by the State of California of an airplane of suitable type for the official use of the Chief Executive of the State of California."

I, Dean Sherry, being the duly elected secretary of San-Dac-Ers of the San Diego Athletic Club, San Diego, California, hereby certify that the foregoing resolution is a true and correct copy of a resolution adopted by said San-Dac-Ers at its luncheon at San Diego, California, February 20, 1931.

DEAN SHERRY, Secretary.

Approved: J. FRANK KNOCHE, President.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 58—An act to amend section 1 of chapter 316, Statutes of 1927, entitled "An act to regulate the method of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, to include justice of the peace court and all other inferior courts now existing or which may hereafter be provided by law.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 80—An act to amend section 1382 of the Penal Code, relating to dismissal of an action for want of prosecution.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, insert after the period, the following: "3. If a defendant in a misdemeanor case or in the justices' court, whose trial has not been postponed upon his application, is not brought to trial within thirty days after the filing of the complaint."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 691—An act to amend chapter 379, Statutes of 1915, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith."

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In section 28, line 8, of the printed bill, insert after the word "Stanislaus," the word "Merced,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 747—An act to amend section 637½ of the Penal Code, relating to protection of fish and game.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered.

AMENDMENT NUMBER ONE.

Strike out all of lines 9, 10, 11, 12, 13 and 14, of the printed bill, and insert in lieu thereof the following: "Felidae (cougars, wildcats), the order Rodentia (rats, mice, gophers), except the genera *Sciurus* and *Petauristidae* (tree squirrels, flying squirrels), and the rabbits of the order *Lagomorpha*; the black-tailed jack rabbit of the genus *Lepus*; the cotton-tail rabbit and the brush rabbit of the genus *Sylvilagus* in fish and game districts four, nineteen and twenty-one; and the".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 304—An act to amend section 626*c* of the Penal Code, relating to the protection of fish and game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 508—An act to amend section 626*s* of the Penal Code, relating to the protection of fish and game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 452—An act to amend section 4.821 of the School Code, relating to the increase of apportionments to elementary school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 236—An act to repeal section 1.13 of the School Code, relating to the attendance of Indian children upon public schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 239—An act to repeal sections 2.1197 and 2.1198 of the School Code, relating to the appointments of trustees by superintendents of schools of counties to fill vacancies in school district governing boards.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 240—An act to amend section 3.5 of the School Code, relating to the opening and maintenance of schools in school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 241—An act to repeal sections 3.120 and 3.121 of the School Code, relating to the admission of children to kindergarten.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 242—An act to amend section 3.331 of the School Code, relative to the payment of tuition and transportation of high school pupils attending high school in an adjoining state.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 243—An act to amend section 3.339 of the School Code, relating to the transportation of high school pupils.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 244—An act to repeal section 3.637 of the School Code, relating to the admission of deaf children to schools established for the deaf.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 246—An act to add a new article to chapter I of part II of division II of the School Code, to be numbered article IX, embracing sections 2.860 to 2.866, both inclusive, and to repeal article XII, embracing sections 2.1010 to 2.1016, both inclusive, of chapter II of part II of division II of the School Code, all relating to annual meetings of school trustees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 248—An act to amend section 2.101 of the School Code, relating to petitions for the changing of school district boundaries.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 249—An act to amend section 1.32 of the School Code, relating to causes for suspension or expulsion of pupils from the public schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 250—An act to amend section 1.33 of the School Code, relating to the injuring of the property of a school district.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 827—An act to amend section 4.730 of the School Code, and to repeal sections 4.731 and 4.732, relating to the duty of the Superintendent of Public Instruction to make certain reports to the State Controller.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 828—An act to amend section 4.721 of the School Code, relating to the determination of the units of average daily attendance in schools closed by boards of health or public disaster.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 830—An act to amend the title of article VI of chapter I of part IV of division V of the School Code and to amend sections 4.750 and 4.751 thereof, relating to the average daily attendance in school districts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, strike out the word "an", and insert in lieu thereof the word "a".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 835—An act to amend sections 4.340, 4.343, 4.344, 4.346, 4.347, 4.350 and 4.351 of the School Code, and to repeal section

4.348 thereof, all relating to orders and requisitions upon school district funds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 836—An act to amend section 2.1220 of the School Code, relating to reports by school superintendents to the Superintendent of Public Instruction and to county boards of supervisors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 837—An act to repeal article V, embracing sections 4.320 to 4.334, both inclusive, of chapter I of part III of division IV of the School Code, relating to claims against school district funds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 838—An act to amend sections 5.611 and 5.616 of the School Code, relating to the payment of expenses of holding teachers' institutes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 841—An act to amend section 4.440, and to repeal section 4.441 and article II, embracing sections 4.450 to 4.455, both inclusive, of chapter III of part III of division IV of the School Code, all relating to kindergarten funds of elementary school districts and taxes thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 844—An act to amend section 3.292 of the School Code, relating to apportionments of State and county funds to high school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Concurrent Resolution No. 7—Relative to establishment of a State prison in one of the southern counties of the State of California.

COMMITTEE AMENDMENTS.

During the reading of the resolution, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed resolution, after the word "therein;" add "and the member of the senate from the ninth senatorial district is hereby appointed as a member of said committee to fill the other vacancy therein."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 20, of the printed resolution, strike out the words "five hundred", and insert in place thereof the words "one thousand".

Amendment adopted.

Senate Concurrent Resolution No. 7 read, ordered to print, engrossment, and on third reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, February 25, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 580—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and re-referred to this committee.

(Signed out)

CLEVELAND, Chairman.

BAKER.

CARTER.

HARPER.

INGELS.

INMAN.

MAITONEY.

SWING.

TUBBS.

SECOND READING OF SENATE BILL NUMBER FIVE HUNDRED EIGHTY.

Senate Bill No. 580—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain

harbor improvement funds and sinking funds connected therewith; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 8, paragraph (6), section 18, line 13, of the printed bill, after the closing bracket following the figure 6, insert the following: "To acquire, construct, keep in repair, maintain, use and operate sheds, buildings, rail and water transfer and terminal facilities, storehouses, warehouses, elevators, grain bins, cold storage plants, bunkers, enclosures and structures, and to acquire, keep in repair, maintain, use and operate cranes, oil and other tanks or containers, gas, water, power and oil pipe lines, trucks, cars, motors, engines, trains, buses, locomotives, boats, conveyors, compressors, machinery and other equipment, improvements or facilities necessary or convenient for the safe and economical landing, loading and unloading, storage, carriage and protection of all classes of merchandise entering or leaving the port by water or for the safety, comfort and convenience of passengers passing into or out of the port by water, or for the accommodation of fisheries."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 12, paragraph (35), section 18, line 13, of the printed bill, strike out the word "general".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 12, paragraph (2), section 20, line 46, of the printed bill, strike out the words "Terminal icing plants", and the comma following the same.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 13, paragraph (2), section 20, line 1, of the printed bill, strike out the words "and to provide a fund to amortize that pro-"; also same page, strike out lines 2 and 3 thereof; and also same page, line 4, strike out the words "life thereof", and in place thereof insert the following words: "provided, that no such cold storage plant, warehouse or other facility for storage shall be so leased except for use as a cold storage plant, warehouse or other facility for storage."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 13, paragraph (3), section 20, line 8, of the printed bill, strike out comma, and in place thereof insert a period; and also, same page, same line, strike out the words "except that:", and also same page strike out all of lines 9, 10 and 11.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 14, paragraph (10), section 20, line 14, of the printed bill, after the word "any", insert the words "person or"; and also, same page, same line, strike out the words "firm, association, person or"; and also, same page, line 15, strike out the word "company", and the comma following that word; also same page, line 17, strike out the word "engaging", and in place thereof, substitute the word "enjoying"; and also, same page, same line, after the word "and", insert the words "the district."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 14, paragraph (11), section 20, line 20, of the printed bill, before the word "section", insert the word "this".

Amendment adopted.

Bill read second time, ordered re-referred to Committee on Commerce and Navigation.

CONSIDERATION OF DAILY FILE.
THIRD READING OF SENATE BILLS.

Senate Bill No. 540—An act to amend section 653*ac* of the Civil Code, relating to the election and approval of trustees or directors of corporations formed to receive bequests, gifts, and donations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 540 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 476—An act to add section 6*a* to chapter 176, Statutes of 1919, entitled "An act providing for the prevention and suppression of forest fires," approved May 2, 1919, relating to arrests and appearances on charges of violating forest or fire laws.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 476 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 529—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Alameda, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 529 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Maloney gave notice that, on the next legislative day, he would move to reconsider the vote by which Senate Bill No. 476 was passed.

ADJOURNMENT.

At eleven o'clock and fifty minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Tuesday, March 3, 1931.

HAROLD J. POWERS. Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, March 3, 1931.

The Senate met at eleven o'clock a.m.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 2, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Ingels, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. George E. Shelden of Oakland, California.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frank A. Duryea, Fred Parks and Darrel La Fortune, chief of police of Marysville, California.

On request of Senator Harper, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Franklin F. Grant of San Diego.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. C. E. Grier and C. E. Grier, supervisor.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Helen Moodie of Sacramento.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Buron Fitts, Mrs. Harry Wishard, and Miss Mary Lou Wishard of Los Angeles.

On request of Senator Moran, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Leon Speier.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to pupils of the Lockeford School and Terminous School. Lockeford School—Lily P. Leete, principal, and students as follows: Elona Stemler, Minnie Matts, La Verne Perry, Lillian Sliegelmeier, Peggybeth Trost, Rose Perino, Maddiline Dalton, Grace Dalton, Juanita Stopelton, Amanda Bender, Eugene Moore, James Grimes and Wilson Mattingly; and Mr. J. Grimes and Mr. T. Netz. Terminous School—Anneta B. Morrison, principal and students as follows: Maryly Lyons, Elvera Perry, Melvin Woodward, Louis Coe, Perry Coe and Ernest Sun; and Mrs. E. J. McGowen.

PRESENTATION OF PETITION.

The following petition was presented and ordered printed in the Journal:

By Senator Fellom:

SAN FRANCISCO CHAMBER OF COMMERCE,
451 California Street, February 27, 1931.

Hon. Roy Fellom.

At a meeting of the board of directors of the San Francisco Chamber of Commerce held yesterday, February 26, 1931, the following resolution was unanimously adopted, and I respectfully wish to bring it to your attention, and trust you will give it consideration:

"WHEREAS, The Legislature of California is about to reapportion the State and create and establish new and additional Congressional districts; therefore, be it

Resolved, By the board of directors of the San Francisco Chamber of Commerce that the members of the Senate and of the Assembly of California be, and they are hereby urged to include in such Congressional Reapportionment Bill as may be submitted to and passed by the Legislature, an additional Congressional district for the City and County of San Francisco, such district to be made up either of Assembly districts within the City and County of San Francisco, or to be composed of several Assembly districts in the City and County of San Francisco together with Assembly districts in the county of San Mateo so that the congressional representation from the City and County of San Francisco shall be three in number; and be it further

Resolved, That the Senators and Assemblymen from the City and County of San Francisco be, and they are hereby requested to exert their concerted efforts to the attainment of this end; and be it further

Resolved, That a copy of this resolution be sent to each member of the San Francisco delegation in the State Legislature, as well as to the Speaker of the Assembly, the Lieutenant Governor and the Governor of the State of California."

Sincerely yours,

GEORGE J. PRESLEY, Executive Vice President.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 10—Relative to Englebright Fire Prevention Bill, H. R. 3245.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Joint Resolution No. 10 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following:

Assembly Bill No. 166—An act to amend sections 3197 and 3198 of the Political Code, relating to trade-marks;

Also: Assembly Bill No. 167—An act to amend section 991 of the Civil Code, relating to trade-marks.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELEKE, Assistant Clerk.

Assembly Bills Nos. 166 and 167 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1864—An act making an appropriation to meet the deficiency in the appropriation for the mileage of members of the Assembly for the eighty-first and eighty-second fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1864 read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 489—An act to amend sections 4005c, and 4006 of the Political Code, relating to the population and classification of counties, and declaring same an urgency measure—and reports that the same has been correctly enrolled and presented to the Governor on the second day of March, at eleven o'clock and forty-five minutes a.m.

RILEY, Chairman.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 3, 1931.

To the Senate of the State of California.

I am returning herewith Senate Bill No. 489, without my approval, for the reason that it will effect the salaries of a number of county officers without having been given an opportunity of introducing amendments to county government bills to coincide with the classification, and further that the act is doubtless contrary to section 1, article IV, State constitution, which provides that no measure changing the salary of any officer shall be construed to be an urgency measure.

The purpose of the bill is the amending of sections 4005c and 4006 of the Political Code in order to reclassify the counties according to the 1930 federal census.

It is doubtful whether there is need of such an urgency clause, and everyone interested, including the author, Senator Wagy, agrees that this clause should be eliminated for the best interests of all concerned.

I am, therefore, returning the bill without my approval but without prejudice.

Respectfully submitted,

JAMES ROLPH, JR., Governor.

SUSTAINING GOVERNOR'S VETO.

The question being: Shall Senate Bill No. 489 become a law notwithstanding the objection of the Governor?

The roll was called, and the objections of the Governor sustained by the following vote:

AYES—None.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Tubbs, Wagy, Williams, and Young—29.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock to which was referred Senate Bill No. 316—An act to revise chapter 712, Statutes of 1921.

entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

Senate Bill No. 316 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 49—An act repealing chapter 537, Statutes of 1911, entitled "An act to provide for the preparation and distribution of serums or vaccines for the prevention of the disease known as cholera in hogs in the State of California, making an appropriation therefor and prescribing the duties of the Controller and Treasurer in relation thereto," approved April 21, 1911—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—9.

DUVAL, Chairman.

Senate Bill No. 49 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 56—An act to add two new sections to the Penal Code to be numbered 597h and 597i, relating to the cropping of the ears of dogs—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—10.

DUVAL, Chairman.

Senate Bill No. 56 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 434—An act to make an appropriation to pay the claim of Luis F. Wolter against the State of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and re-referred to this committee.

Committee membership—17; committee vote: Ayes—10; absent—7.

SWING, Chairman.

Senate Bill No. 434 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, February 26, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 13—An act to add a new section to the Penal Code, to be numbered 64a, relating to the filing of initiative or referendum petitions—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

FELLOM, Chairman.

Senate Bill No. 13 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 252—An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid

into the Seashore Parks Fund—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Oil Industries.

Committee membership—7; committee vote: Ayes—7.

EVANS, Chairman.

Senate Bill No. 252 ordered re-referred to Committee on Oil Industries.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: Your Committee on Contingent Expenses, to which was referred Senate Concurrent Resolution No. 11—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the disabled American Veterans of the World War of the Department of California, respectively;

Also: Senate Concurrent Resolution No. 12—Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

(Signed out)

INGELS, Chairman.
WILLIAMS.
MALONEY.

Senate Concurrent Resolutions Nos. 11 and 12 ordered on file.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 58—An act to amend section 1 of chapter 316, Statutes of 1927, entitled "An act to regulate the method of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, to include justice of the peace court and all other inferior courts now existing or which may hereafter be provided by law;

Also: Senate Bill No. 236—An act to repeal section 1.13 of the School Code, relating to the attendance of Indian children upon public schools;

Also: Senate Bill No. 239—An act to repeal sections 2.1197 and 2.1198 of the School Code, relating to the appointments of trustees by superintendents of schools of counties to fill vacancies in school district governing boards;

Also: Senate Bill No. 240—An act to amend section 3.5 of the School Code, relating to the opening and maintenance of schools in school districts;

Also: Senate Bill No. 241—An act to repeal sections 3.120 and 3.121 of the School Code, relating to the admission of children to kindergarten;

Also: Senate Bill No. 242—An act to amend section 3.331 of the School Code, relative to the payment of tuition and transportation of high school pupils attending high school in an adjoining state;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 243—An act to amend section 3.339 of the School Code, relating to the transportation of high school pupils;

Also: Senate Bill No. 244—An act to repeal section 3.637 of the School Code, relating to the admission of deaf children to schools established for the deaf;

Also: Senate Bill No. 246—An act to add a new article to chapter I of part II of division II to the School Code, to be numbered article IX, embracing sections 2.860 to 2.866, both inclusive, and to repeal article XII, embracing sections 2.1010 to 2.1016, both inclusive, of chapter II of part II of division II of the School Code, all relating to annual meetings of school trustees;

Also: Senate Bill No. 248—An act to amend section 2.101 of the School Code, relating to petitions for the changing of school district boundaries;

Also: Senate Bill No. 249—An act to amend section 1.32 of the School Code, relating to causes for suspension or expulsion of pupils from the public schools;

Also: Senate Bill No. 250—An act to amend section 1.33 of the School Code, relating to the injuring of the property of a school district;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 304—An act to amend section 626e of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 452—An act to amend section 4.821 of the School Code, relating to the increase of apportionments to elementary school districts;

Also: Senate Bill No. 508—An act to amend section 626s of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 827—An act to amend section 4.730 of the School Code, and to repeal sections 4.731 and 4.732, relating to the duty of the Superintendent of Public Instruction to make certain reports to the State Controller;

Also: Senate Bill No. 835—An act to amend sections 4.340, 4.343, 4.344, 4.346, 4.347, 4.350 and 4.351 of the School Code, and to repeal section 4.348 thereof, all relating to orders and requisitions upon school district funds;

Also: Senate Bill No. 836—An act to amend section 2.1220 of the School Code, relating to reports by school superintendents to the Superintendent of Public Instruction and to county boards of supervisors;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 837—An act to repeal article V, embracing sections 4.320 to 4.334, both inclusive, of chapter I of part III of division IV of the School Code, relating to claims against school district funds;

Also: Senate Bill No. 838—An act to amend sections 5.611 and 5.616 of the School Code, relating to the payment of expenses of holding teachers' institutes;

Also: Senate Bill No. 841—An act to amend section 4.440, and to repeal section 4.441 and article II, embracing sections 4.450 to 4.455, both inclusive, of chapter III of part III of division IV of the School Code, all relating to kindergarten funds of elementary school districts and taxes thereof;

Also: Senate Bill No. 844—An act to amend section 3.292 of the School Code, relating to apportionments of state and county funds to high school districts;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 40—An act to amend section 6a of chapter 218, Statutes of 1921, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the annexation of municipalities and county water districts to municipal utility districts, and declaring the urgency of said amendment;

Also: Senate Bill No. 81—An act to amend section 583 of the Code of Civil Procedure, relating to the dismissal of actions;

Also: Senate Bill No. 500—An act to amend section 200 of the Code of Civil Procedure, relating to exemption from jury duty;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON BUILDING AND LOAN ASSOCIATIONS.

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such association, and their accounts, reports, audits, statements and advertising; to create and continue the Bureau of Building and Loan Supervision and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts

inconsistent herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—8; absent—3.

INMAN, Chairman.

Senate Bill No. 481 ordered on file for second reading.

SECOND READING OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY-ONE.

Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: To define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such association, and their accounts, reports, audits, statements and advertising; to create and continue the Bureau of Building and Loan Supervision and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed bill, insert a comma after the word "authorize", and in line 8, insert a comma after the first "of".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 15 of the title of the printed bill, strike out the word "association", and insert in lieu thereof the word "associations".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 16 of the title of the printed bill, strike out the words "bureau of", and in line 17, strike out the words "building and loan supervision", and insert in lieu thereof the words "building and loan department".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, after the period following the word "association", insert a new sentence as follows: "'Association on notice" and "association on a pro rata basis" are defined in section 6.01 of this act."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 17, of the printed bill, strike out the words "and "pass book shares"", and insert in lieu thereof the following: "(including "serial" and "non-serial" installment shares), "accumulative shares" and "prepaid shares"."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 20, of the printed bill, strike out the entire line, and the words "an association." in line 21, and insert in lieu thereof the following: "'Investment certificates" means instruments issued by an association, pursuant to section 5.01 of this act, which expressly state that the right of the holder thereof to withdraw funds evidenced thereby is subject to the provisions of article VI of this act, and which otherwise conform to the provisions of this act applicable thereto."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 22, of the printed bill, strike out the words "optional payment", and insert in lieu thereof the word "accumulative".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 23, of the printed bill, strike out the word "and", and insert a comma.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 23, of the printed bill, insert the words "and "prepaid investment certificate"" before the word "are".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 25, of the printed bill, strike out the word "means", and insert in lieu thereof the words "and "member" are synonymous and mean".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 29, of the printed bill, strike out the words "A "member"", and the remainder of said line and lines 30 to 33, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 34, of the printed bill, strike out the entire line; then strike out lines 35 and 36, and insert in lieu thereof the following:

"The "value" of shares or investment certificates means the amount paid in upon such shares or investment certificates, plus the accumulated earnings or interest accrued thereon, less any withdrawals therefrom and charges thereagainst. The "matured value" of a share shall be equal to the par value thereof."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 38, of the printed bill, after the period following the word "thereof", insert a new paragraph as follows:

"The term "issuing" wherever used in this act with reference to an association issuing or not issuing shares, stock and investment certificates or any thereof, shall not be limited to issuance thereof at the particular time, but shall include prior issuance if such stock, shares and investment certificates or any thereof (as the case may be) are still outstanding."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 41, of the printed bill, after the period following the word "radio", insert a new paragraph as follows:

"Words used in this act in the present tense include the future as well as the present; words used in the masculine gender include the feminine and neuter, and

in the neuter gender include the masculine and feminine; the singular number includes the plural, and the plural includes the singular; "writing" includes also printing and typewriting; "oath" includes also affirmation; and "county" includes also city and county."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 47, of the printed bill, strike out the period where it appears after the word "act", and insert the following: "or shall have heretofore been incorporated to conduct the business of receiving and lending money in accordance with the provisions of any act or acts, or part or parts of any act or acts, of which this act is a continuation or amendment."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 11, of the printed bill, strike out the words "owned and".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 13, of the printed bill, insert the word "natural", before the word "person".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 28, of the printed bill, strike out the words "or commission," and the words "directly or indirectly, therefor," in line 29, and insert in lieu thereof the following: "for services which, under the foregoing definitions, would make such officer, director or employee an agent, salesman or collector,".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 3, line 32, of the printed bill, after the word "office", insert the words "or other place of business in this state".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, line 36, of the printed bill, strike out the word "excepting", all of line 37, and the word "only" in line 38, and insert in lieu thereof the words "otherwise than".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 42, of the printed bill, strike out the words "Authority for incorporation.", and insert in lieu thereof the words "In general."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 43, of the printed bill, strike out the words "under this act with or without", and the word "stock" in line 44, and insert in lieu thereof the words "with shares or stock or both".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 45, of the printed bill, after the period following the word "act", insert the following: "Domestic associations shall also have all the powers and privileges provided by law as to corporations generally, except as expressly provided to the contrary in this act. The provisions of law as to corporations generally shall also be applicable to domestic associations, except where inconsistent with the corresponding provision of this act, in which case the provision of this act shall prevail."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, of the printed bill, strike out all of lines 6 to 23, inclusive, and insert in lieu thereof the following:

"Sec. 2.03. Statement of purposes. The purposes of each domestic association hereafter incorporated, as stated in its articles of incorporation, shall include the statement that it is formed to encourage industry, frugality, home building and the accumulation of savings (and such statement shall add either "among its members", "among its certificate holders", or "among its members and certificate holders", and may also add "and among others"); the accumulation of savings; the loaning of the moneys or funds so accumulated, with the profits and earnings thereon, (and such statement shall add either "to its members", "to its certificate holders", or "to its members and certificate holders", and such statement may also add "and to others"); and, subject to provisions contained in or authorized by this act, the repayment (and such statement shall add either "to each member", "to each certificate holder", or "to each member or certificate holder") of his savings and profits, whenever they have accumulated to the full par value (and such statement shall add either "of his shares", "of his investment certificates", or "of his shares or investment certificates"), or at any time when he shall desire to withdraw the same or when the association shall desire to repay the same; and may also state that it is formed for any or all of the purposes specified in this act; and notwithstanding anything to the contrary in the statutes of this state, any association in any of its advertisements may set forth any of the foregoing purposes. Such articles of incorporation may also include any other provisions which are not in conflict with law."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 28, of the printed bill, after the word "shall", insert the word "hereafter".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 29, of the printed bill, strike out the word "the" after the word "thereto", and insert in lieu thereof the word "a".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 4, line 30, of the printed bill, strike out the words "of approval".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 4, line 30, of the printed bill, after the word "commissioner", and before the period, insert the words "approving the same".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 4, line 32, of the printed bill, after the word "with", insert the words "a copy of the by-laws and".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 4, line 51, of the printed bill, strike out the word "proposed", and insert in lieu thereof the word "estimated".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 5, line 14, of the printed bill, strike out the semicolon where it appears after the word "association", and insert a period. Thereafter strike out the remainder of said line.

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 5, line 15, of the printed bill, strike out the word "that", then strike out the small "t" in the word "the", and insert in lieu thereof a capital "T".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 5, line 15, of the printed bill, after the word "commissioner", insert the following: "however,".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, line 50, of the printed bill, after the period following the word "certificate", insert the following: "Wherever in this section reference is made to the by-laws, incorporators, directors and officers, such reference in the case of a proposed domestic association shall refer to the proposed by-laws, incorporators, directors and officers thereof."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 6, line 20, of the printed bill, after the period following the word "certificates", insert the following: "No domestic association hereafter incorporated, and no foreign association hereafter qualifying to do business in this state, which shall include the word "mutual" in its name, shall be permitted to issue stock without first eliminating from its name the word "mutual". The term "existing in this state", wherever used in this section, shall include foreign associations licensed to do building and loan business in this state."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 32, of the printed bill, strike out the words "a proposed", and insert in lieu thereof the word "an".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 41, of the printed bill, strike out the word "persons", and insert in lieu thereof the word "stockholders".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 6, line 43, of the printed bill, strike out the word "persons", and insert in lieu thereof the word "shareholders".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 6, of the printed bill, strike out all of lines 49 to 52, inclusive, and on page 7, of the printed bill, strike out all of lines 1 to 29, inclusive, and insert in lieu thereof the following:

"Sec. 2.07. Branches. No association shall open, maintain or conduct a branch without first applying for and obtaining from the commissioner a license for such branch. The application for such license shall be in such form as the commissioner shall require, and shall include an itemized statement of the estimated receipts and expenditures of such association in connection with such branch for the first year or such longer period as the commissioner in his discretion may require and, except in the case of associations not issuing either stock or investment certificates, a showing that the public convenience and advantage will be promoted by the operation of such branch. If satisfied that the operation of such branch is in the interest of such association, and in the case of an association issuing either stock or investment certificates or both that the public convenience and advantage will be promoted by the operation of such branch, the commissioner shall issue his license for such branch; otherwise such license shall be refused. The applicant shall pay for such license a fee of fifty dollars and such license shall continue in force and effect until canceled by the commissioner for cause. No association issuing either stock or investment certificates shall open, maintain or conduct any such branch unless the amount of its investment certificate reserve as defined in section 5.03 of this act shall exceed the amount required by said section 5.03 by the sum of twenty-five thousand dollars for each branch opened, maintained or conducted by it; and no association not issuing either stock or investment certificates shall open, maintain or conduct any such branch unless such association shall thereafter, while maintaining such branch or branches, at each apportionment of profits set aside to its reserve fund one per cent of its net profits since the last prior apportionment in addition to the amount required to be so set aside by section 10.03 of this act, until said reserve fund shall exceed the maximum amount required by said section 10.03 for such association by the amount of twenty-five thousand dollars for each branch so opened, maintained

or conducted. Any and all business which may be transacted at the principal office of a duly licensed association may be transacted at any duly licensed branch thereof."

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 7, line 31, of the printed bill, strike out the words "for election".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 7, line 32, of the printed bill, after the word "stock", insert the words "or investment certificates".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 7, line 35, of the printed bill, strike out the semicolon where it appears after the word "dollars", and insert a period. Thereafter strike out the remainder of said line, all of lines 36 to 38, inclusive, and the words "shares as security for any loan or debt," in line 39, and insert in lieu thereof the following: "Every director who shall sell or hypothecate all such stock or shares owned by him, or so much thereof that he shall cease to be the owner, in his own right free from encumbrances, of the amount of such stock or shares aforesaid,".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 7, line 43, of the printed bill, strike out the words "or executrix", and the words "or administratrix".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 7, line 47, of the printed bill, strike out the words "for election".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 7, line 48, of the printed bill, after the word "stock", and before the comma, insert the words "or investment certificates".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 7, line 49, of the printed bill, after the period following the word "shareholder", insert a new section as follows:

"Sec. 2.09. Amendment of articles and by-laws. Before any certificate or other document effecting or setting forth any amendment to the articles of incorporation of any domestic association, or to the articles of incorporation, certificate of incorporation, charter, or any similar document relating to any foreign association, shall hereafter be filed in the office of the secretary of state of the State of California, there must be attached thereto a certificate of the commissioner approving the same. Upon the adoption of any amendment to the by-laws of any association, a copy of such amendment, certified by the secretary or assistant secretary of such association, shall be delivered or mailed forthwith to the commissioner. No amendment to the articles of incorporation or by-laws of any association which shall make any change in the rights, preferences or privileges of any outstanding stock or shares of such association which shall be adverse to the holders of such stock or shares shall be valid, unless such amendment is approved by the vote or written assent of the holders of two-thirds in par value of such outstanding stock or two-thirds in value of such outstanding shares, or of the class or classes of such outstanding shares adversely affected as aforesaid."

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 8, line 8, of the printed bill, after the period following the word "stock", insert the following: "In the case of each domestic association hereafter incorporated, and in the case of each foreign association hereafter qualifying to do business in this state, the stock and shares thereof, if it be an association issuing both stock and shares, shall be of the same par value."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 8, line 13, of the printed bill, strike out the words "in the manner", and insert in lieu thereof the word "as".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 8, line 15, of the printed bill, after the word "Certificates", and before the comma, insert the words "evidencing shares".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 8, line 19, of the printed bill, strike out the word "with", and in line 20 strike out the words "the prior consent of the commissioner," and insert in lieu thereof the following: "in connection with consolidations or transfers pursuant to section 2.06 of this act,".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 8, line 29, of the printed bill, strike out the words "in any of the following forms," and the abbreviation "viz." in line 30, and insert in lieu thereof the word "as".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 8, line 30, of the printed bill, strike out the words "and pass book", and insert in lieu thereof the words "accumulative shares or prepaid".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 8, line 37, of the printed bill, strike out the words "an agreed rate of", and the words "not exceeding six per cent per".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 8, line 38, of the printed bill, strike out the words "annum, to be paid in cash or credited periodically".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 8, line 39, of the printed bill, strike out the words "if any, to", and insert in lieu thereof the words "not exceeding six per cent per annum, as shall".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 8, line 40, of the printed bill, strike out the word "separate", and insert in lieu thereof the words "one or more".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 8, line 41, of the printed bill, strike out the words "to be provided", and insert in lieu thereof the word "prescribed".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 8, line 44, of the printed bill, strike out the word "permanent", and insert in lieu thereof the word "nonserial".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 8, line 47, of the printed bill, strike out the words "and such amounts".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 8, line 48, of the printed bill, strike out the word "must", and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 8, line 49, of the printed bill, strike out the word "allotted", and insert in lieu thereof the word "apportioned".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 8, line 51, of the printed bill, strike out the word "such", and insert in lieu thereof the word "serial".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 8, line 52, of the printed bill, strike out the word "or", and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 8, line 52, of the printed bill, strike out the word "each", before the word "series", and insert in lieu thereof the words "the same".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 9, line 3, of the printed bill, strike out the word "permanent", and insert in lieu thereof the word "nonserial".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 9, line 4, of the printed bill, strike out the words "the shareholders", before the period, and insert in lieu thereof the words "such shares".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 9, line 6, of the printed bill, strike out the word "designation".

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 9, line 12, of the printed bill, strike out the following: "Pass book shares. (c) Pass book", and insert in lieu thereof the following: "(c) Accumulative shares. Accumulative".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 9, line 19, of the printed bill, strike out the following: ", if any,".

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 9, line 19, of the printed bill, after the period following the word "withdrawn", insert a new subparagraph as follows:

"(d) Prepaid shares. Prepaid shares shall be shares not full paid, upon which a single payment shall have been made, and which are to reach their matured value through crediting on such shares dividends or earnings thereon. The holders of prepaid shares shall be entitled to either such participation in the net profits, not exceeding the rate apportioned to installment shares, as the board of directors shall determine, or to dividends at such agreed rate, not exceeding six per cent per annum, as shall be specified in the body of the certificate issued."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 9, line 24, of the printed bill, strike out the words "out of", and in line 25 strike out the words "the funds of the association".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 9, line 25, of the printed bill, after the word "interest", insert the words "or earnings".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 9, line 33, of the printed bill, after the word "must", insert the words "be given thirty days' notice thereof and".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 9, line 34, of the printed bill, strike out the syllables "appor-", and the syllables "tioned" in line 35, and insert in lieu thereof the word "applicable".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 9, line 40, of the printed bill, after the word "of", insert the words "any installment of".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 9, line 42, of the printed bill, after the word "arrearages", strike out the comma and insert a semicolon; then strike out the remainder of said line, all of line 43, and in line 44 the following: "him to the association;".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 9, line 45, of the printed bill, strike out the words "after the date of mailing", and insert in lieu thereof before the comma the word "thereafter".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 9, line 51, of the printed bill, beginning with the word "Whenever", strike out all the printed matter down to and including the period on page 10, line 9.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 10 of the printed bill, strike out all of lines 12 to 26, inclusive, and insert in lieu thereof the following:

"Sec. 4.01. Description of guarantee stock. Guarantee stock shall be of one class, shall have a par value, and the proceeds thereof to the extent of such par value shall be set apart and maintained as a fixed and permanent capital of the association. No stock shall be issued for a consideration other than cash or for a price less than the par value thereof, and when fully paid shall be kept unimpaired to the extent of its par value; *provided, however*, that an association with the consent of the commissioner may declare and distribute a stock dividend, and may issue stock for a consideration other than cash in connection with consolidations or transfers pursuant to section 2.06 of this act. The commissioner may require that the consideration for the issuance of stock be sufficient to create a paid in surplus in an amount satisfactory to the commissioner. No association shall pay any commission or other compensation for or on account of any subscription to or sale of its stock."

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 10, line 32, of the printed bill, after the word "for", insert the following: ", or issue".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 10, line 35, of the printed bill, strike out the small "c", in the word "code", and insert in lieu thereof a capital "C".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 10, line 37, of the printed bill, strike out the word "applicant", and insert in lieu thereof the word "association".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 10, line 44, of the printed bill, after the comma following the word "publication", insert the following: "a copy of all minutes of any proceedings of its directors, shareholders or stockholders relating to or affecting the issue of such stock,".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 10, line 46, of the printed bill, strike out the following: "It shall also file with its application a"; then strike out all of lines 47 to 49, inclusive, and in line 50 strike out the following: "by-laws and of any amendments thereto."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 11, line 4, of the printed bill, strike out the word "applicant", and insert in lieu thereof the word "association".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 11, line 7, of the printed bill, strike out the word "applicant", and insert in lieu thereof the word "association".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 11, line 11, of the printed bill, strike out the words "and refuse such permit".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 11, line 12, of the printed bill, strike out the word "applicant", and insert in lieu thereof the word "association".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 11, line 24, of the printed bill, strike out the word "applicant", and insert in lieu thereof the word "association".

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 11 of the printed bill, strike out all of lines 32 to 49, inclusive, and insert in lieu thereof the following:

"Sec. 5.01. Description of investment certificates. An association may issue investment certificates, with or without pass books. The holders of investment certificates shall have no liability for debts or assessments, and shall be entitled upon liquidation of an association to receive payment in full before any payment or distribution shall be made to shareholders or stockholders. The holders of investment certificates shall have no right to participate in the profits or dividends. Except in connection with consolidations or transfers pursuant to section 2.06 of this act, no investment certificate shall hereafter be issued for a consideration other than cash. Subject to the provisions of this act and of the respective investment certificates, certificate holders shall be entitled to have interest paid or credited at the rate specified in their respective certificates and to the return of their principal with accrued interest upon withdrawal, redemption or maturity. Investment certificates may be issued as full paid investment certificates, installment investment certificates, accumulative investment certificates, definite term investment certificates, or prepaid investment certificates. Subject to the provisions of sections 5.06 and 5.07 of this act, interest

on installment investment certificates hereafter issued and on prepaid investment certificates hereafter issued shall continue to accrue after the maturity thereof at the same rate as before such maturity, until such certificates shall be withdrawn."

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 12, line 1, of the printed bill, strike out the word "full".

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 12, line 4, of the printed bill, insert a comma after the word "paid", then strike out the word "and"; and in line 5, strike out the following: "without an expressed date of maturity,".

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 12, line 6, of the printed bill, strike out the word "additional".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 12, line 7, of the printed bill, after the word "therein", strike out the comma and insert a period; then strike out the remainder of said line, and all of lines 8 to 11, inclusive.

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 12, line 12, of the printed bill, strike out the words "optional payment" in both places where they appear in said line, and in each place insert in lieu thereof the word "accumulative".

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX.

On page 12, line 15, of the printed bill, strike out the word "additional".

Amendment adopted.

AMENDMENT NUMBER NINETY-SEVEN.

On page 12, line 20, of the printed bill, strike out the words "of cash".

Amendment adopted.

AMENDMENT NUMBER NINETY-EIGHT.

On page 12, line 21, of the printed bill, strike out the word "full".

Amendment adopted.

AMENDMENT NUMBER NINETY-NINE.

On page 12, line 38, of the printed bill, after the period following the word "available", insert a new subparagraph as follows:

"(c) Prepaid certificates. A prepaid investment certificate shall be an investment certificate not full paid, upon which the holder shall have made a single payment and which is to reach its principal amount through crediting on such certificate interest thereon not withdrawn."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED.

On page 13, line 13, of the printed bill, after the word "dollars", strike out the period and insert a semicolon; then insert a new paragraph as follows:

"Provided, however, that in the case of any association which on March 1, 1931, had no investment certificates outstanding but which on such date had outstanding in the hands of the public notes issued by such association in an aggregate principal amount in excess of the amount of investment certificates which such association would have been permitted to issue pursuant to the foregoing provisions, such association, if it shall not have issued any investment certificates other than definite term investment certificates, shall not be required during the respective periods hereinafter mentioned to maintain an investment certificate reserve in the amount above prescribed but in lieu thereof shall be required during such respective periods to

maintain an investment certificate reserve in the following percentages of the amount above prescribed, to wit, from the effective date of this act until January 1, 1932, sixty per cent; during 1932, sixty-eight per cent; during 1933, seventy-six per cent; during 1934, eighty-four per cent; and during 1935, ninety-two per cent."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 13, line 18, of the printed bill, strike out the words "reserve fund", and insert in lieu thereof the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 13, line 20, of the printed bill, strike out the words "reserve fund", and insert in lieu thereof the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 13, line 21, of the printed bill, after the word "act", and before the period, insert the following: "and such part of the undivided profits not apportioned to shareholders as the association shall have set apart for such investment certificate reserve".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 13, line 26, of the printed bill, after the period following the syllable "tion", insert the following: "No dividends shall be paid or profits be distributed to shareholders from that part of the undivided profits which the association shall have set apart for such investment certificate reserve if such payment or distribution would deplete such investment certificate reserve below the proportions provided in this section, or if such investment certificate reserve is at the time below the proportions provided in this section."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 13, line 26, of the printed bill, strike out the word "such", and insert in lieu thereof the word "the".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 13, line 26, of the printed bill, after the word "reserve", insert the words "of any association issuing investment certificates".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 13, line 28, of the printed bill, strike out the word "upon", then strike out all of line 29, and insert in lieu thereof the words "in exchange for installment certificates when fully".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 13 of the printed bill, strike out all of lines 33 to 52, inclusive, and on page 14 of the printed bill, strike out all of lines 1 and 2, and insert in lieu thereof the following:

"Sec. 5.04. Cash fund for investment certificates. If, in the case of any association issuing investment certificates, other than definite term investment certificates, the cash fund thereof, as defined in this section, shall be less than the following percentage of the sum of the investment certificate liabilities thereof, excluding liabilities on its definite term investment certificates:

(1) Three per cent of such sum if such sum is not more than one million dollars;
(2) Four per cent of such sum if such sum is more than one million dollars but not more than three million dollars;

(3) Five per cent of such sum if such sum is more than three million dollars: then such association shall not make or purchase any loans or investments until such percentage shall have been restored, excepting (a) pursuant to its obligations to do so theretofore incurred; (b) loans on investment certificates; and (c) investments in readily marketable bonds or other securities referred to in subdivisions

(3), (4), (5) and (6) of section 9.02 of this act. The cash fund provided in this section shall consist of cash on hand and in banks and, to the extent of not more than fifty per cent of such fund, in readily marketable bonds or other securities referred to in subdivisions (3), (4), (5) and (6) of section 9.02 of this act taken at the unpaid principal amount or market value thereof, whichever is less, and shall be computed after deducting from the aggregate of such cash, bonds and securities all borrowings of such associations except through the issuance of investment certificates. Whenever any association's cash fund, as defined in this section, shall become less than the percentage prescribed by this section, such association shall, within twenty-four hours thereafter, mail to the commissioner a statement of such fact; and if the commissioner shall so require, such association shall thereafter, until such percentage shall have been restored, mail to the commissioner daily or otherwise as the commissioner may direct a statement of the matters prescribed in section 6.04 of this act."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 14, of the printed bill, strike out all of lines 3 to 12, inclusive, and insert in lieu thereof the following:

"Sec. 5.05. Less than six months' interest not to be paid. Upon the withdrawal of any sum evidenced by any investment certificate hereafter issued, no interest shall be paid upon any sum which shall have been received by the association on account of such certificate within six months prior to such withdrawal, except that interest may be paid in respect of sums received on installment investment certificates within six months prior to the date of the final payment which the holder shall be obligated to make thereon. All investment certificates hereafter issued shall expressly state the limitation upon the holder's right to interest, as provided by this section in respect of such certificates. If a part only of the sum evidenced by an investment certificate is withdrawn, the sum withdrawn shall be deemed to be that first received by the association. No association shall make any contract with any of its certificate holders waiving in any manner the provisions of this section, and if any such contract shall be so made, such contract shall be void."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 14, of the printed bill, strike out all of lines 13 to 46, inclusive, and insert in lieu thereof the following:

"Sec. 5.06. Redemption of certificates. All investment certificates hereafter issued shall be subject to redemption, either in whole or in part, at the option of the association at any time after the issuance thereof, by giving the holder at least thirty days' notice of such intended redemption; *provided, however,* that an association may provide that such certificates shall not be subject to redemption for an initial period after the issuance thereof, which initial period in the case of definite term investment certificates shall not exceed two years and in the case of all other investment certificates shall not exceed six months. All investment certificates hereafter issued shall expressly state that such certificates are subject to redemption, and the period of notice which shall be required for redemption, and if there be an initial period in which the certificate may not be redeemed, shall also state such fact and the length of such initial period. The redemption price of all investment certificates shall be the value thereof at the date fixed for redemption; *provided, however,* that in the case of definite term investment certificates, such redemption price, if so provided in such certificates, shall include a premium of not to exceed one per cent of the principal amount thereof. On or after the date fixed for redemption as stated in the notice of redemption, each holder of an investment certificate called for redemption shall surrender his certificate properly indorsed to the association and shall thereupon be entitled to receive payment of the redemption price of such certificate, or of the portion thereof to be redeemed; and in case a certificate shall be redeemed in part, to receive a new certificate representing the unredeemed part thereof. If such notice of intended redemption shall have been duly given and if on or before the date fixed for such redemption funds necessary for such redemption shall be and continue available therefor, then, notwithstanding that any certificate called for redemption in whole or in part shall not have been surrendered, the interest thereon with respect to the amount called for redemption shall cease to accrue after the date fixed for such redemption, and all rights of the holder in respect of the amount so called for redemption shall forthwith after such redemption date cease and determine, except only the right of the holder to receive the redemption price without interest after the date fixed for redemption. In all cases the notice of redemption shall expressly state that interest will cease on the date fixed for redemption."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 14 of the printed bill, strike out all of lines 47 to 52, inclusive, and on page 15 of the printed bill, strike out all of lines 1 to 17, inclusive, and insert in lieu thereof the following:

"Sec. 5.07. Modification of certificates. If so stated in any investment certificate hereafter issued and subject to the conditions stated in this section and such additional conditions, if any, as may be stated in such certificate, any such certificate shall be subject to modification at the option of the association as to the rate of interest payable thereon, but not otherwise, at any time after such initial period as may be provided in such certificate (which initial period in the case of definite term investment certificates shall be at least two years, and in the case of all other investment certificates shall be at least six months) by giving the holder thereof ninety days' notice of such modification, and by mailing notice thereof to the commissioner; *provided*, that if any holder of any such certificate within said ninety-day period shall demand the redemption price of his certificate and shall tender such certificate properly indorsed for surrender upon payment of such redemption price, then such proposed modification shall not take effect unless such payment shall be available for such certificate holder on or before the expiration of said ninety-day period. If such demand and tender shall be made and such payment shall not be made or made available, then such certificate holder shall be entitled, subject to section 6.02 of this act, upon tendering his certificate properly indorsed for surrender within fifteen days after said ninety-day period, to receive the redemption price of the certificate surrendered. For the purpose of this section, the redemption price of a certificate shall include accrued interest to the date of the payment thereof."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 15 of the printed bill, beginning with line 20, strike out all of the printed matter down to and including the period on page 18, line 33, and insert in lieu thereof the following:

"Sec. 6.01. Notice of intention to withdraw. Each association must prescribe by its by-laws, or by contract with its shareholders or certificate holders, or by both, the period of notice of intention to withdraw which such association at its option may require, which period shall not be less than thirty days nor more than six months. All certificates hereafter issued evidencing shares or investment certificates shall state the period of such notice and shall also state that the right of the holder thereof to withdraw funds evidenced thereby is subject to the provisions of article six of this act. Each association may prescribe by its by-laws, or by contract with its shareholders or certificate holders, or both, the terms and conditions of withdrawal, *provided*, such terms and conditions shall not be contrary to the provisions of this act.

Any notice of intention to withdraw shall be invalid unless it is given in writing to the office of the association at which the shares or investment certificates in question were issued, or at which the account of such association as to such shares or investment certificates is kept, or to the principal office of such association, signed by a holder entitled to make a withdrawal, or by his attorney or agent, and unless it contains a statement of an intention or desire to make a withdrawal and of the amount to be withdrawn, either in dollars or by the statement that the withdrawal is to be in full or words to that effect. Any such notice shall also be invalid, subject to the subsequent provisions of this paragraph, unless it contains the following: its date; the time to elapse previous to making the withdrawal, which time shall be not less than the period prescribed for such notice by the by-laws or contract; a reference to or description of the shares or investment certificates from which the withdrawal is to be made sufficient for ready and clear identification; an address to which the association may send notices to such shareholder or certificate holder; and a statement that the title to the shares or investment certificates is the same as when issued, or if such is not the case, a statement of the state of such title as it then is. The omission of any fact or statement required by the preceding sentence shall not render a notice invalid, however, unless (a) within seven days after the receipt of such notice the association shall notify the shareholder or certificate holder of such omission, and (b) such omission shall not be corrected within seven days after such notice. A shareholder or certificate holder may at any time revoke or waive, either in whole or in part, a notice of intention to withdraw and thereupon such notice shall become invalid either in whole or as to such part, as the case may be.

All notices of intention to withdraw shall be filed when and as received by each association or by the several offices thereof in the order in which they are received, and each shall be kept on file with the exact time of the receipt thereof noted thereon or recorded, until it is paid or becomes invalid. When any notice shall have been on file for the period prescribed therefor, or for the period stated in such notice as the period to elapse previous to making the withdrawal (whichever shall be longer) such notice shall be a "matured notice" for all the purposes of this act.

No shareholder or certificate holder whose shares or investment certificates are pledged as security for a loan from the association issuing such shares or investment certificates shall be permitted to make a withdrawal or be entitled to give any valid notice of intention to withdraw in respect of such shares or investment certificates until the indebtedness for which such shares or investment certificates are security has been fully paid, except that withdrawals therefrom may be made without notice provided the full amount of such withdrawals shall be used to pay such indebtedness or any part thereof; *provided*, that in the case of loans upon the mutual plan, such withdrawals without notice shall be permitted only at the option of the association unless the entire indebtedness shall be simultaneously paid.

No valid notice of intention to withdraw may be given in respect of definite term investment certificates, nor shall the holders thereof be entitled to withdraw prior to the maturity thereof except at the option of the association issuing such certificates; *provided, however*, that if an association is on a pro rata basis, as hereinafter defined, the holder of any definite term investment certificate which has not reached the date of its maturity may, notwithstanding the expressed date of maturity thereof, give thirty days' notice of intention to withdraw, and at the expiration of such period such notice shall be a "matured notice" and such holder shall be entitled to withdraw, subject to section 6.02 of this act. Every definite term investment certificate shall expressly state that such notice for said period of thirty days may be given at any time prior to the date of the maturity thereof in the event that such association shall thereafter be on a pro rata basis.

If the shareholder or certificate holder shall tender his certificate for surrender, duly endorsed, within ten days after any valid notice of intention to withdraw shall have matured, he shall be entitled, subject to section 6.02 of this act, to receive the withdrawal value of his shares or investment certificates or of that part thereof referred to in such notice, which withdrawal value is hereby defined as the full amount paid in upon the shares or investment certificates surrendered exclusive of the entrance fee, if any, together with dividends, profits or interest, if any, applicable thereto, subject to such adjustment of earnings or interest as may be provided by by-law or contract. Shareholders or certificate holders who shall have given notice of intention to withdraw and who shall fail to tender their certificates for surrender within ten days after notice from the association that funds are available for the payment thereof shall have no right to withdraw except after giving new notice of intention to do so and such prior notice of intention to withdraw shall become invalid for all of the purposes of this act; *provided*, such notice from the association shall have stated that unless such certificates shall be tendered for surrender within such ten-day period the holder shall have no right to withdraw except after giving new notice of intention to do so.

If in the case of any association the sum of the following, to wit, (1) the value of all shares or investment certificates or parts thereof in respect of which valid notices of intention to withdraw (whether or not the same shall be matured) shall be on file and unpaid, including notices of intention to withdraw by defaulting shareholders pursuant to section 3.05 of this act as well as notices of withdrawal generally pursuant to section 6.01 of this act; (2) the value of all shares which shall have matured pursuant to section 3.03 of this act and which shall be unpaid; (3) the value of all investment certificates in respect of which the holders, pursuant to section 5.07 of this act but subject to section 6.02 of this act, shall be entitled to receive the redemption price but which shall be unpaid, and (4) the value of all definite term investment certificates which shall have reached the expressed date of their maturity but which shall be unpaid, shall exceed three per cent of the value of all outstanding shares and investment certificates of such association, then such association, unless it is on a pro rata basis, shall be an "association on notice" for all the purposes of this act. If in the case of any association said sum shall exceed fifteen per cent of the value of all outstanding shares and investment certificates of such association, then such association shall be an "association on a pro rata basis" for all the purposes of this act; *provided, however*, that if said sum shall exceed ten per cent of the value of all outstanding shares and investment certificates of such association, then its board of directors may at their option by resolution declare such association to be on a pro rata basis, and thereupon such association shall be an "association on a pro rata basis" for all the purposes of this act. An association which is on notice or on a pro rata basis shall continue to be on notice or on a pro rata basis, as the case may be, notwithstanding the fact that the sum of the foregoing items may become less than the respective percentages aforesaid, unless and until all of the foregoing items shall be paid or funds shall be available for the payment thereof. In making computations for the purpose of this paragraph, shares and investment certificates shall not be deemed to be unpaid if the association has funds available for the payment thereof and has given notice of that fact to the respective holders thereof.

Sec. 6.02. Limitation on withdrawals. The term "matured withdrawal claims," as used in this article, shall include each and all of the following, to wit, (1) the value of all shares or investment certificates or parts thereof, in respect of which valid notices of intention to withdraw shall be on file, matured and unpaid, including notices of intention to withdraw by defaulting shareholders pursuant to section 3.05

of this act, as well as notices of withdrawal generally pursuant to section 6.01 of this act; (2) the value of all shares which shall have matured pursuant to section 3.03 of this act and which shall be unpaid; (3) the value of all investment certificates in respect of which the holders, pursuant to section 5.07 of this act but subject to section 6.02 of this act, shall be entitled to receive the redemption price, but which shall be unpaid; and (4) the value of all definite term investment certificates which shall have reached the expressed date of their maturity but which shall be unpaid.

Regardless of whether or not an association is on notice or on a pro rata basis, its obligation to pay matured withdrawal claims, and the right of shareholders and certificate holders to receive payment of matured withdrawal claims, shall be secondary and subsequent to the right of such association to pay, and to provide reasonable reserves for the payment of, the following: taxes, assessments, insurance and other sums necessary to protect and preserve its properties and its interest in properties (including those on the security of which it holds loans); principal and interest on borrowings by such association, otherwise than through the issuance of investment certificates; interest on investment certificates and dividends on shares; rent, compensation of officers, agents, salesmen and other employees, and other usual and ordinary operating expenses of such association; and commitments on its incomplete loans or investments; *provided, however*, that an association on notice or on a pro rata basis shall not pay any dividends on its stock or distribute any profits to its stockholders or make any loans or investments, except loans or investments pursuant to its obligations incurred before it became an association on notice. Moreover, regardless of whether or not an association is on notice or on a pro rata basis, its obligation to pay matured withdrawal claims, and the right of shareholders and certificate holders to receive payment of matured withdrawal claims, shall be limited to payments from its cash on hand or in bank, proceeds from sale of investments and loans and other cash receipts of such association; and if the association is on notice or on a pro rata basis, shall be further limited to payments pursuant to the subsequent provisions of this section.

If the sum of all matured withdrawal claims exceeds the amount available for that purpose, then, if the association is on notice but is not on a pro rata basis, payment of such matured withdrawal claims shall be made, to the extent of the funds from time to time available for that purpose, as follows:

First: To the payment of withdrawals in respect of investment certificates pursuant to section 6.01 of this act, to the payment of definite term investment certificates which have reached the date of their maturity and to withdrawals through payments following notice of modifications pursuant to section 5.07 of this act, without preference of one type of such withdrawal over the other, according to the priority in time of the maturity of the claims for such withdrawals, which in the case of withdrawals pursuant to said section 6.01 shall be deemed to be the time notice of intention of such withdrawals shall have matured, in the case of withdrawals through payment of definite term investment certificates shall be deemed to be the date of maturity of such certificates, and in the case of withdrawals through payments following notice of modifications pursuant to section 5.07 of this act shall be deemed to be the date of the expiration of the period of such notice of modifications; *provided*, that as between the holders of certificates upon which the claim for withdrawal shall have matured at the same time, payment shall be made in the order of demand for or notice of such withdrawal, which in the case of definite term investment certificates shall be deemed to be the date of issuance thereof.

Second: To the payment of withdrawals in respect of shares pursuant to sections 3.05 and 6.01 of this act and withdrawals through payment of matured shares pursuant to section 3.03 of this act, without preference of one type of such withdrawal over the other, according to the priority in time of the maturity of the claims for such withdrawals, which in the case of withdrawals pursuant to said sections 3.05 and 6.01 shall be deemed to be the time notice of intention of such withdrawal shall have matured and in the case of withdrawals through payment of matured shares pursuant to said section 3.03 shall be deemed to be the time such shares shall be declared by the board to be matured. In respect of shares so declared to be matured at the same time, then such payment shall be made in the order provided in the by-laws, or in the absence of such provision in the numerical order of issuance.

Notwithstanding anything to the contrary in this act, however, any association which is on notice but not on a pro rata basis may at its option pay in each month, with or without requiring notice of intention to withdraw, and regardless of the nonpayment of any or all matured withdrawal claims, not to exceed fifty dollars per person to any one or more of its shareholders or certificate holders; and withdrawals may be made at any time from pledged shares and investment certificates, whether or not the association is on notice or on a pro rata basis, and without notice; *provided*, the full amounts of such withdrawals shall be used to pay the indebtedness for which such shares or investment certificates are pledged, or any part thereof; *and provided, further*, that in the case of loans upon the mutual plan, such withdrawals without notice shall be permitted only at the option of the association unless the entire indebtedness shall be simultaneously paid.

If the sum of all matured withdrawal claims exceeds the amount available for that purpose, then, if the association is on a pro rata basis, payment of such matured withdrawal claims shall be made once in each period of three months, to the extent of the funds available for that purpose, as follows:

First: To all matured withdrawal claims in respect of investment certificates until all sums payable thereon are paid and, as between several holders thereof, pro rata according to the unpaid principal thereof at the time of each payment.

Second: To all matured withdrawal claims in respect of shares until all sums payable thereon are paid and, as between the several holders thereof, pro rata according to the unpaid value thereof at the time of each such payment.

No association shall make any contract waiving in any manner any of the provisions of this section and, if any such contract shall be so made, such contract shall be void.

Nothing contained in this act is intended or shall be construed to impair the obligations of any contract existing at the effective date of this act in respect of the withdrawal or other rights of the holders of shares or investment certificates then outstanding, and the withdrawal and other rights of such holders shall continue to be governed by the obligations of their respective contracts, regardless of the provisions of this act. The provisions of this act, however, shall govern the withdrawal and other rights of the holders of all shares and investment certificates hereafter issued and shall also govern, to the extent that the same do not impair the obligations of contracts existing at the effective date of this act, the withdrawal and other rights of holders of shares and investment certificates then outstanding.

Sec. 6.03. Withdrawals without notice or before maturity. Any association, other than an association on notice or on a pro rata basis, may pay at its option any or all withdrawals without requiring notice of intention to withdraw or before the maturity of a notice of intention to withdraw, but no association shall agree in advance to do so. Any association, other than an association on notice or on a pro rata basis, may at its option pay any or all definite term investment certificates before the expressed date of maturity subject to such adjustment of interest, if any, as may be provided in such certificates, but no association shall agree in advance to do so. Except as otherwise provided in this act in respect of shares and investment certificates pledged to the association issuing the same and except as otherwise so provided in respect of payments in each month not to exceed fifty dollars per person to any one or more shareholders or certificate holders, no association on notice or on a pro rata basis shall pay any withdrawals except upon matured notice of intention to withdraw, nor allow the withdrawal of any definite term investment certificate before the expressed date of its maturity; *provided, however*, that an association on notice but not on a pro rata basis may pay withdrawals before the maturity of such notices if such withdrawals are paid in the order provided in section 6.02 of this act in respect of associations on notice and not on a pro rata basis; and *provided, further*, that an association on a pro rata basis shall pay withdrawals of definite term investment certificates after the maturity of notices of intention to withdraw subject to the same conditions as investment certificates of other classes. Any agreement contrary to the provisions of this section shall be void.

Sec. 6.04. Reports while on notice or on a pro rata basis. Each association on notice shall, within twenty-four hours after becoming an association on notice, mail to the commissioner a statement that such association is on notice; and so long as such association is on notice or on a pro rata basis it shall mail to the commissioner daily or otherwise as the commissioner may direct a statement showing (1) the amount of its cash on hand and in bank; (2) the amount of its United States government bonds and treasury certificates; (3) the amount and description of all its other bonds; (4) the amount of all unpaid notices of withdrawal filed with such association; (5) the amount of all borrowings other than through the issuance of investment certificates; (6) the amount of all matured shares and of all definite term investment certificates of such association which shall have reached the date of their maturity; (7) the amount of its incomplete loans; and (8) any other data required by the commissioner.

Sec. 6.05. Delay in paying after one year. Whenever an association shall have been on a pro rata basis for a period of one year, the commissioner may in his discretion forthwith or at any time thereafter take possession of the property, business and assets of such association and retain such possession until its affairs be finally liquidated in the manner provided by law for the liquidation of associations by him, or until such association may be allowed to resume business upon such conditions as may be approved by the commissioner. The right of the commissioner to take possession under this section is not exclusive, but is additional to his right to take possession under each and every other provision of this act.

Sec. 6.06. Payments received while on pro rata basis. In the event of the liquidation or dissolution of any association which shall have been on a pro rata basis, then notwithstanding anything to the contrary in section 13.16 of this act or elsewhere in this act, all sums paid in to such association on investment certificates or shares after such association shall have been on a pro rata basis shall be repaid in full before any payments shall be made to other certificate holders or other creditors or other shareholders, or to stockholders. An association which has issued and outstanding both shares and investment certificates shall not, while on a pro rata basis, accept

any money on account of free shares. No association while it is on a pro rata basis shall accept any money on account of investment certificates or shares if the commissioner in writing shall have directed the association not to accept such money."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 18, line 36, of the printed bill, strike out the word "liabilty", and insert in lieu thereof the word "liability".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 18, line 39, of the printed bill, after the comma following the word "association", insert the words "including investment certificates and shares,".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 18, line 44, of the printed bill, insert a comma after the word "commissioner".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 18, line 45, of the printed bill, insert a comma after the word "court".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 19, line 17, of the printed bill, strike out the word "engagments", and insert in lieu thereof the word "engagements".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 19, line 35, of the printed bill, after the word "office", insert the words "in this state"; and after the word "situated", insert a period.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETEEN.

On page 19, line 36, of the printed bill, strike out the following: "in this state."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 19, line 49, of the printed bill, strike out the word "county", and insert in lieu thereof the word "country".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 21, line 11, of the printed bill, after the word "thereof", strike out the period and insert a comma; then insert the following: "except that the commissioner shall be entitled to the rights and remedies therein provided without the necessity of being in possession of the property, business and assets of such association."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 21, line 29, of the printed bill, strike out the words "one year", and insert in lieu thereof the words "three years".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 21, line 45, of the printed bill, after the word "assessments", strike out the period and insert a semicolon, then insert the following: "but shareholders shall be liable for the payment of dues until their shares shall have reached their matured value or until valid notice of intention to withdraw shall have been filed."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 21, line 47, of the printed bill, strike out the words "with any of its certifi-", and in line 48, strike out the following: "cate holders".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 22, line 15, of the printed bill, insert a comma after the word "installment", then strike out the words "or pass book", and insert in lieu thereof the words "accumulative or prepaid".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX.

On page 22, line 18, of the printed bill, insert a comma after the word "installment", then strike out the words "or pass book", and insert in lieu thereof the words "accumulative or prepaid".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 22, line 19, of the printed bill, after the word "rights", strike out the period and insert a comma, then insert the following: "except such voting rights, if any, as shall be expressly provided in the by-laws."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 22, line 20, of the printed bill, strike out the comma after the word "association", then, in line 21, strike out the following: "other than associations issuing stock,".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 22, line 22, of the printed bill, strike out the words "an entrance fee for", then strike out all of lines 23 and 24, and in line 25, the following: "and every association may charge and collect".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 22, line 33, of the printed bill, after the word "expenses", strike out the period, and insert a semicolon, then insert the following: "provided, that any domestic association hereafter incorporated which does not propose to issue either stock or investment certificates may charge an entrance fee for each share for the purpose of accumulating an organization fund, which entrance fees as to amount, period and other conditions shall be first approved by the commissioner and shall not exceed one dollar on each one hundred dollars of the par value of such shares. No part of the sums paid for such entrance fees shall be used directly or indirectly to pay commission or compensation on account of the subscription to or sale of such shares, or for the collection of such entrance fees."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 22 of the printed bill, strike out line 37, and in lieu thereof, insert the following: "or more investment certificates to a minor of any age and".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 22, line 38, of the printed bill, strike out the word "payment", and insert in lieu thereof the word "payments".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 23, line 5, of the printed bill, after the word "be", insert the word "a".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 23, line 9, of the printed bill, strike out the word "and", and insert in lieu thereof the words "as joint tenants or".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 23, line 35, of the printed bill, after the word "another", and before the period, insert the words "or for others".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 23, line 46, of the printed bill, strike out the words "next of kin", and insert in lieu thereof the words "executor or administrator".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 23, line 50, of the printed bill, strike out the words "of any association".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 24, line 1, of the printed bill, strike out the words "sale on", and insert in lieu thereof the words "attachment or".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 24, line 4, of the printed bill, strike out the word "under", the remainder of said line, and the word "state" in line 5.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 24, line 6, of the printed bill, strike out the word "writ", and in line 7, strike out the words "and copy of notice therein provided for", and insert in lieu thereof the words "copy of writ and notice".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 24, line 11, of the printed bill, after the word "incurred", and before the semicolon, insert the following: "if such office or branch is still being maintained, and otherwise at the principal office of such association".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 24, line 11, of the printed bill, after the word "attachment", insert the words "not served as aforesaid".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 24, line 23, of the printed bill, after the word "office", insert the words "in this state".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 24, line 26, of the printed bill, after the word "mails", strike out the period, and insert a semicolon, then insert the following: "*provided, however, that in the case of any investor whose address as aforesaid is more than six hundred miles from the place of mailing such notice as aforesaid, the time within which such investor may exercise any right or remedy following the giving of such notice shall be extended one day for each unit of six hundred miles or fraction of such unit between such address and such place of mailing, not to exceed in any case, however, an extension of ten days.*".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 24, line 30, of the printed bill, strike out the words "invest any of its funds except in invest-", and strike out all of line 31.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-SIX.

On page 24, line 32, of the printed bill, insert the words "investments or", before the word "loans" in both places where it appears in said line.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 24, line 35, of the printed bill, after the word "made", insert the words "or purchased".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 24, line 37, of the printed bill, after the word "made", insert the words "or purchased".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-NINE.

On page 24, line 43, of the printed bill, strike out the word "stock", and insert in lieu thereof the words "either stock or investment certificates or both".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY.

On page 24, line 45, of the printed bill, strike out the word "fund".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE.

On page 24, line 49, of the printed bill, strike out the word "or", and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-TWO.

On page 24, line 50, of the printed bill, strike out the word "stock", and insert in lieu thereof the words "either stock or investment certificates or both".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-THREE.

On page 25, line 1, of the printed bill, strike out the word "fund".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-FOUR.

On page 25, line 9, of the printed bill, after the word "state", insert a semicolon, then strike out the remainder of said line and all of lines 10 to 12, inclusive. Then insert a new subdivision as follows:

"(6) Bonds issued by any railroad corporation or any public utility corporation excluding street railway corporations, substantially all of the properties of which are located in the United States of America: *provided*, the purchase of all bonds pursuant to the sole authority of this subdivision (6) shall be first approved by the commissioner."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-FIVE.

On page 25, line 13, of the printed bill, strike out the numeral "6", and insert in lieu thereof the numeral "7".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-SIX.

On page 25, line 19, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "8".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-SEVEN.

On page 25, line 19, of the printed bill, after the word "bonds", strike out the comma and insert a semicolon, then strike out the remainder of said line and all of line 20.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-EIGHT.

On page 25, line 22, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "8".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-NINE.

On page 25, line 25, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "8".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY.

On page 25, line 25, of the printed bill, strike out the word "five", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-ONE.

On page 25, line 29, of the printed bill, strike out the following: "and (7)", and insert in lieu thereof the following: ", (7) and (8)".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-TWO.

On page 25, line 42, of the printed bill, after the comma following the word "exchange", insert the following: "improve, repair,".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-THREE.

On page 26 of the printed bill, strike out all of lines 5 to 31, inclusive, and insert in lieu thereof the following:

"For the purposes of this act an "amortized loan" shall be one evidenced by a note or other obligation providing for reduction of principal by installments to be paid at least semiannually commencing not later than one year after the date of such loan, which installments may include interest and, either as to principal alone or as to combined principal and interest, shall be prorated equally over a term of months or years, to be stipulated in such note or other obligation, until the principal amount of such loan has been reduced at least fifty per cent of its original amount; *provided*, that if such note or other obligation calls for such installments retiring the full principal amount of such loan, such term of months or years shall not be longer than fifteen years and that if such note or other obligation does not call for such installments retiring the full principal amount of such loan, such term of months or years shall not be longer than nine years, except that in either case the commissioner may by rules permit and prescribe a longer maximum term in the case of amortized loans upon particular classes of security, which classes he shall have power to prescribe and define; *and, provided further*, that in the case of loans evidenced by notes or obligations which do not call for such installments reducing the full principal amount of such loans, the loans evidenced thereby shall cease to be amortized loans after the date of the last obligatory installment payment. In the case of each association at least ninety per cent in unpaid principal of its loans in force at any one time shall be amortized loans; and at least eighty per cent in unpaid principal amount of its loans in force at any one time shall be amortized loans calling for equal monthly installments, either of principal alone or of combined principal and interest.

No association at any one time shall have invested an amount in excess of ten per cent of the aggregate unpaid principal amount of all its loans then in force in (a) loans which do not provide for reduction of principal at least semiannually by installments commencing not later than one year after the date of such loans; (b) loans which provide for reduction of principal at least semiannually but upon which payments of principal shall have been waived or deferred by the association for a period of more than six consecutive months, and (c) loans which originally provided for reduction of principal at least semiannually by installments, on which loans all such principal installments have been paid except the final payment not to become due within six months; *provided, however*, that any loans included in (a)

and (b) above on which principal installment payments have been commenced or resumed shall not be included for the purpose of the foregoing provision.

Subject to the foregoing limitations loans may be made by an association for a period of not to exceed three years without provision for reduction of principal, but on such loans the note or other obligation must provide for reduction of principal at least semiannually by installments commencing not later than three years after the date of such loan, which installments may include interest and, either as to principal alone or as to combined principal and interest, shall be prorated equally over a term of months or years to be stipulated in such note or obligation until the principal amount of such loan has been reduced at least fifty per cent of its original amount; *provided*, that if such note or other obligation calls for such installments retiring the full principal amount of such loan, such term of months or years shall not be longer than fifteen years, and that if such note or other obligation does not call for such installments retiring the full principal amount of such loan, such term of months or years shall not be longer than nine years, except that in either case the commissioner may by rules permit and prescribe a longer maximum term in the case of loans upon particular classes of security, which classes he shall have power to prescribe and define."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-FOUR.

On page 26, line 52, of the printed bill, after the period following the word "applied", insert the following: "The rights and obligations of the person executing such note or other obligation, subsequent to such sale, exchange, transfer, pledge, hypothecation or other disposal shall be set forth in such note or other obligation."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-FIVE.

On page 27, line 4, of the printed bill, after the word "upon", insert the words "fee title to".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-SIX.

On page 27, line 4, of the printed bill, strike out the word "pursuant", and insert in lieu thereof the word "pursuant".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-SEVEN.

On page 27, of the printed bill, strike out all of lines 9 to 24, inclusive, and insert in lieu thereof the following:

"Sec. 9.05. Loans upon real property. Loans may be made upon the security of improved real property in an amount not in excess of sixty per cent of the appraised value or market value, whichever is less, of such real property; *provided*, however, that amortized loans may be made in an amount not in excess of seventy per cent of the appraised value or market value, whichever is less, of such real property; *provided*, further, that amortized loans upon the security of improved real property may be made in an amount not in excess of eighty per cent of the appraised value or market value, whichever is less, of such real property, subject to each and all of the following conditions in the case of each such loan exceeding seventy per cent: (1) the principal improvement on such real property shall consist of a single family dwelling; (2) such loan shall not exceed six thousand dollars in principal amount; and (3) the note or other obligation evidencing such loan shall provide for reduction of principal by monthly installments commencing in the case of a construction loan not later than six months after the date of such loan, and in case of any other loan not later than one month after the date of such loan."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-EIGHT.

On page 27, line 34, of the printed bill, strike out the words "or trust deed.", and insert in lieu thereof the following: "or trust deed or pledge."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-NINE.

On page 27, line 36, of the printed bill, after the syllable "proved", and before the comma, insert the words "and either real or personal".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY.

On page 27, line 43, of the printed bill, strike out the word "and", the remainder of said line, and all of lines 44 and 45, and insert in lieu thereof the following: "and the building or buildings to be erected shall be deemed to be improvements on such real property within the meaning of this section, and the value of such proposed building or buildings shall be included in the appraised value and market value of such real property: *provided, however,* that at no time shall the amount advanced by the association on such loan exceed the ratio of loan to value authorized by this section in respect of such loan, excluding from such value the value of such proposed building or buildings but including in such value the actual cost of such building or buildings to such time."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-ONE.

On page 28, line 13, of the printed bill, after the numeral "(6)", insert the following: ", (7)".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-TWO.

On page 28, line 14, of the printed bill, strike out the numeral "7", and insert in lieu thereof the numeral "8".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-THREE.

On page 28, line 39, of the printed bill, before the word "directors", insert the word "disinterested".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FOUR.

On page 29, line 27, of the printed bill, after the period following the word "security", insert the following: "It shall be unlawful for any association to make any loan to, or purchase any loan or investment from, the commissioner or any deputy, attorney, examiner, accountant or appraiser appointed or employed by him."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FIVE.

On page 29, line 30, of the printed bill, after the first "shall", in said line, insert the word "also".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SIX.

On page 30, line 5, of the printed bill, after the word "bank", insert the following: ", trust company".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SEVEN.

On page 30, line 7, of the printed bill, before the semicolon following the word "association", insert the following: ", or to the holder of a junior encumbrance upon the same property".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-EIGHT.

On page 30, line 20, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "five".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-NINE.

On page 30, line 22, of the printed bill, after the syllables "sioner", strike out the semicolon, and insert a period; then insert the following: "No excess loan made to any association, however, shall be invalid or illegal as to the lender."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY.

On page 30, line 22, of the printed bill, strike out the word "and"; then strike out the small "a" in the word "an", and insert in lieu thereof a capital "A".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-ONE.

On page 30, line 30, of the printed bill, strike out the words "No excess loan made to", and strike out all of lines 31 and 32; then insert a new section as follows:

"Sec. 9.12. Arrears in payments. Whenever a borrower shall be in arrears in the payment of his dues on his pledged shares, if any, or in the payment of his interest or loan installments, or shall be in default under the terms of any pledge, deed of trust or mortgage securing his loan, the whole loan shall become due at the option of the association, and the association may proceed to enforce collection upon such loan or the securities held by the association. Upon or after exercising such option, the withdrawal value of all shares pledged as collateral security shall be applied to the payment of the loan, and said shares from the time of such application shall be deemed surrendered to the association and canceled."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-TWO.

On page 30, line 45, of the printed bill, strike out the words "to be kept by an", and the words "association for any of its business", in line 46.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-THREE.

On page 30, line 47, of the printed bill, strike out the word "such".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FOUR.

On page 31, line 6, of the printed bill, after the period following the word "valuations", insert the following: "Every association shall file in writing with the commissioner the names of the appraisers, officers and members of any committee charged with making such estimated valuations for it. No loan shall be made upon the appraisalment of, nor shall compensation for any appraisalment be paid to, any appraiser, officer or member of such committee who shall not have been first approved in writing by the commissioner as an appraiser for such association."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FIVE.

On page 31, line 18, of the printed bill, strike out the word "is", and insert in lieu thereof the words "he knows to be".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SIX.

On page 31, line 23, of the printed bill, strike out the words "his chief deputy", and after the word "his", appearing at the end of the line, insert the words "deputies or".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SEVEN.

On page 31, line 26, of the printed bill, strike out the words "or dividends declared".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-EIGHT.

On page 31, line 30, of the printed bill, strike out the following: "the invest"; then strike out all of line 31 and the word "or", in line 32.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-NINE.

On page 31, line 32, of the printed bill, strike out the words "reserve fund", and insert in lieu thereof the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY.

On page 31, line 36, of the printed bill, strike out the words "reserve fund", and insert in lieu thereof the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-ONE.

On page 31, line 38, of the printed bill, strike out the words "reserve fund", and insert in lieu thereof the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-TWO.

On page 31, line 40, of the printed bill, after the word "force", strike out the comma and insert a period, and strike out the word "and"; then strike out the small "i" in the word "if", and insert in lieu thereof a capital "I".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-THREE.

On page 31, line 41, of the printed bill, strike out the words "reserve fund", and in lieu thereof insert the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-FOUR.

On page 31, line 42, of the printed bill, after the period following the word "manner", insert the following: "In the case of each association said loan reserve shall include such sum as may, at the effective date of this act, be in such association's reserve fund mentioned in section 641 of the Civil Code of this state; and also such other sum, if any, as the directors of such association may transfer from its surplus or undivided profits to said loan reserve."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-FIVE.

On page 31, line 43, of the printed bill, after the word "dividend", insert the words "on such stock at a rate"; then after the word "declared" in said line 43, insert the words "and paid or credited".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-SIX.

On page 31, line 45, of the printed bill, after the word "profits", insert the following: ", if any,".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-SEVEN.

On page 32, line 4, of the printed bill, strike out the words "reserve fund", and insert in lieu thereof the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-EIGHT.

On page 32, line 38, of the printed bill, strike out the words "attorney general", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-NINE.

On page 33, line 1, of the printed bill, strike out the word "sixty", and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED.

On page 33, line 31, of the printed bill, after the word "located", and before the period, insert the following: "and in like newspapers published in each city or town in which its branches in this state are located".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED ONE.

On page 33, line 48, of the printed bill, strike out the following: "(1) loans here-", strike out all of lines 49 and 50, and in line 51 strike out the following: "ments of this act in respect of original loans;". and insert in lieu thereof the following: "(1) loans heretofore legally made or purchased, and loans hereafter made or purchased which comply as of the date of such statement with the requirements of this act in respect of original loans;".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWO.

On page 34, line 13, of the printed bill, after the period following the word "loans", insert the following: "The term "original loans", as used in this section, includes all loans other than loans made by an association for the purpose of facilitating the sale of property owned by such association."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THREE.

On page 34, line 52, of the printed bill, strike out the words "in favor".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FOUR.

On page 35, line 1, of the printed bill, strike out the words "of the people of the State of California".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIVE.

On page 35, line 3, of the printed bill, after the comma following the syllables "sioner", insert the following: "in favor of the commissioner for the benefit of any person, firm or corporation sustaining injury,".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIX.

On page 35, line 6, of the printed bill, after the word "person", insert the following: ", firm or corporation".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVEN.

On page 35, line 16, of the printed bill, after the comma following the word "person", insert the words "firm or corporation,".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHT.

On page 35, line 29, of the printed bill, after the word "salesmen", and before the period, insert the following: ", except that such bond shall be in favor, and shall inure solely to the benefit, of the association".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINE.

On page 37, line 15, of the printed bill, strike out the words "the manner provided in", and insert in lieu thereof the words "accordance with the provisions of".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TEN.

On page 37, line 16, of the printed bill, after the period following the word "act", insert the following: "This act shall not apply to investment companies as defined in section 635a of the Political Code of this State, approved March 18, 1905, except in the case of investment companies which shall also be building and loan associations as defined in section 1.02 of this act."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED ELEVEN.

On page 37, line 27, of the printed bill, after the comma following the word "thereto", insert the following: "not previously filed with the commissioner."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWELVE.

On page 39, line 43, of the printed bill, after the period following the word "certificates", insert the following: "The term "securities", as used in this paragraph, shall not include borrowings permitted by section 9.11 of this act or instruments executed in connection therewith."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTEEN.

On page 40, line 8, of the printed bill, strike out the words "which shall state or suggest".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FOURTEEN.

On page 40, line 22, of the printed bill, after the word "association", insert the words "shall comply therewith and".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTEEN.

On page 40, line 29, of the printed bill, strike out the period after the word "companies", and insert in lieu thereof a comma and the following: "unless it shall also state, at least as conspicuously, that such fact does not constitute a recommendation or endorsement thereof by the State of California".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTEEN.

On page 40, line 33, of the printed bill, after the word "issuing", insert the word "stock", and a comma.

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTEEN.

On page 40, line 40, of the printed bill, after the word "employees", and before the period, insert the following: "and by reason of any liability arising from any unauthorized issue of stock, shares or investment certificates on the part of such officers or employees".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTEEN.

On page 40, line 45, of the printed bill, strike out the word "terms", and insert in lieu thereof the word "term".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETEEN.

On page 40, line 48, of the printed bill, after the period following the word "office", insert the following new sections:

"Sec. 12.08. Payments upon affidavit following death. Any association upon receiving an affidavit stating that a holder of shares or investment certificates of such association is dead, and that affiant is the surviving husband or wife or the guardian of the estate of the insane or incompetent surviving husband or wife, as the case may be, of such decedent, or stating that decedent left no husband or wife and that affiant is the child or that affiants are the children or the guardians of the estates of the minor, insane or incompetent children, as the case may be, of such decedent, or stating that such decedent left neither husband, wife nor children and that affiant is the father or mother or the guardian of the estate of the insane or incompetent father or mother, as the case may be, of such decedent, or stating that the decedent left neither husband, wife, children, father nor mother and that affiants are the brothers and sisters or the guardians of the estates of the minor, insane or incompetent brothers and sisters, as the case may be, of such decedent, and that the entire value of the shares and investment certificates of such decedent in any and all associations in this state at the time of his death does not exceed in the aggregate the sum of one thousand dollars exclusive of interest and dividends, may pay to such affiant or affiants any and all such moneys if the total amount

thereof does not exceed the sum of one thousand dollars exclusive of interest and dividends, and the receipt of such affiant or affiants shall constitute sufficient acquittance therefor and shall fully discharge such association from any further liability with reference thereto.

Sec. 12.09. Leases on office premises. An association may enter into or assume leases covering real property used or to be used primarily as the principal office or branch of such association; *provided*, that no association issuing stock or investment certificates shall enter into or assume leases providing in the aggregate for rental payments in any one year in excess of five per cent of the sum of its aggregate paid up nonwithdrawable capital and any surplus and reserve which is not subject to distribution to the shareholders or stockholders except upon dissolution or liquidation, after deducting from such sum any amounts invested in real property pursuant to subdivision (1) of section 9.02 of this act.

Sec. 12.10. Forms. All associations at least ten days before issuing any stock, shares or investment certificates and at least ten days before making any loans evidenced or secured by notes, trust deeds or mortgages, shall file in the office of the commissioner copies of the forms to be used; and in the event the commissioner within such period of ten days shall notify such association in writing that, in his opinion, any such form is unauthorized, improper or objectionable, such association shall not thereafter use such form. All investment certificates and notes shall express the rate of interest to be paid thereon."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY.

On page 40, of the printed bill, beginning with line 49, strike out all of the printed matter down to and including the period on page 42, line 3, and insert in lieu thereof the following:

"Article XIII—Building and Loan Department.

Sec. 13.01. Department and commissioner generally. A building and loan department is hereby created. Said department shall be a continuation of the bureau of building and loan supervision. The chief officer of said department shall be the building and loan commissioner. He shall be appointed by the governor and shall hold office at the pleasure of the governor. He shall receive an annual salary of ten thousand dollars, payable monthly out of the state treasury upon a warrant of the controller. Before entering upon the duties of his office, he shall take and subscribe an oath of office and execute an official bond in the penal sum of fifty thousand dollars, with sufficient surety or sureties as provided by law. The commissioner shall be charged with the administration and enforcement of this act, and of all other laws relating to or affecting the incorporation, organization, business, operation, consolidation, dissolution or liquidation of associations subject to this act, and shall have and may exercise all of the powers necessary or convenient for such purposes. Except as otherwise expressly provided by this act, none of the records of the department shall be deemed to be public documents nor be open to the inspection of the public.

Sec. 13.02. Appointees, employees and offices of commissioner. The commissioner shall have power to appoint such deputies and to employ during his pleasure an attorney and such examiners, accountants, appraisers and other assistants as he may require to discharge in a proper manner the duties imposed upon him by law; and to fix their powers and duties, and their compensation; which compensation shall be paid monthly on his certificate and upon a warrant of the controller out of the state treasury. Each of such deputies before he shall enter upon the duties of his office shall take and subscribe an official oath as provided by law. The commissioner's deputies and attorney shall not be subject to any civil service law of this state. There shall also be allowed and paid the necessary traveling expenses of the commissioner, his deputies, attorney, examiners, accountants, appraisers and other assistants incurred while traveling in the line of their duties. The commissioner shall procure and have offices in the city and county of San Francisco and in the city of Los Angeles. The commissioner shall also provide for such stationery, printing, postage and all other necessary expenditures as may be necessary for the proper conduct of his office. All such salaries and expenses shall be audited and paid in the same manner as the salaries and expenses of other state officers; and except as otherwise provided shall be paid from the "building and loan inspection fund".

Sec. 13.03. Not to be interested or indebted. Neither the commissioner nor any deputy, attorney, examiner, accountant or appraiser appointed or employed by him shall be interested directly or indirectly in any association; nor shall the commissioner or any such deputy, attorney, examiner, accountant or appraiser be or become indebted directly or indirectly, either as borrower, endorser, surety or guarantor, or sell or otherwise dispose of any loan or investment, to any association under the commissioner's supervision or subject to his examination.

Sec. 13.04. Bonds. The commissioner may require, at any time or from time to time, of any deputy, examiner or other assistant appointed or employed by him a bond in such amount as he shall deem necessary or expedient, with a sufficient

surety or sureties approved by him, and in such form and upon such conditions as shall be approved by him and the attorney general. Except as otherwise provided in section 13.16 of this act the premium or charge for any bond given by a surety company pursuant to this article shall be paid by the state; *provided*, that no premium or charge shall exceed one-half of one per cent per annum on the amount of such bond."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY-ONE.

On page 42, line 18, of the printed bill, strike out the words "It shall be the", and the words "duty of", in line 19, then strike out the small "t" in the word "the", and insert in lieu thereof a capital "T".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY-TWO.

On page 42, line 19, of the printed bill, after the word "his", insert the words "deputies or".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY-THREE.

On page 42, line 21, of the printed bill, strike out the word "to", and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY-FOUR.

On page 42, line 23, of the printed bill, before the word "examiners", insert the words "deputies or".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY FIVE.

On page 42, line 27, of the printed bill, strike out the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY-SIX.

On page 42, line 37, of the printed bill, after the period following the word "association", insert the following: "Any deputy, examiner or other appointee or employee of the commissioner, before being entitled to make such examination, shall produce under the hand and seal of the commissioner his authority to make such examination."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY-SEVEN.

On page 42, line 38, of the printed bill, after the word "his", insert the words "deputies and".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY-EIGHT.

On page 42, line 39, of the printed bill, strike out the words "in the line of duty".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED TWENTY-NINE.

On page 42, line 39, of the printed bill, strike out the following: "the direc-", then strike out all of line 40, and insert in lieu thereof the following: "under oath any director, officer, employee or agent".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY.

On page 42, line 41, of the printed bill, strike out the words "relative to any or all of the business", and insert in lieu thereof the words "concerning the business and affairs".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY-ONE.

On page 43, line 3, of the printed bill, after the word "his", insert the words "deputies or".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY-TWO.

On page 43, line 8, of the printed bill, strike out the word "and", following the word "traveling", then strike out the word "hotel", in line 9.

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY-THREE.

On page 43, line 16, of the printed bill, before the word "loan", insert the word "delinquent".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY-FOUR.

On page 43, line 20, of the printed bill, after the syllables "ciation", and before the period, insert the words: "payable to the commissioner in advance upon demand".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY-FIVE.

On page 43, line 24, of the printed bill, after the word "limits", strike out the period, and insert a comma and the following: "except in the case of property exceeding fifteen thousand dollars in value."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY-SIX.

On page 43, line 27, of the printed bill, after the word "appraised", strike out the period, and insert a comma and the following: "and the commissioner shall furnish a copy of such report to the association."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY-SEVEN.

On page 43, line 31, of the printed bill, after the word "witnesses", insert the following: ", including former officers, directors, agents, salesmen, collectors and employees of any association,".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY-EIGHT.

On page 43, line 35, of the printed bill, strike out the word "such" following the word "produce", and insert in lieu thereof the word "any".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED THIRTY-NINE.

On page 43, line 36, of the printed bill, strike out the words "papers or documents in their possession", and insert in lieu thereof the words "documents or other things under their control".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY.

On page 43, line 42, of the printed bill, strike out the word "such", and insert in lieu thereof the word "any".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY-ONE.

On page 43, line 42, of the printed bill, strike out the word "papers", and the words "or documents in his possession", in line 43, and insert in lieu thereof the words "documents or other things under his control".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY-TWO.

On page 43, line 46, of the printed bill, before the word "amend", insert the word "to".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY-THREE.

On page 44, line 1, of the printed bill, strike out the words "institute suits", and insert in lieu thereof the word "sue".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY-FOUR.

On page 44, line 2, of the printed bill, strike out the words "through the attorney general".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY-FIVE.

On page 44, line 2, of the printed bill, strike out the word "institute", and insert in lieu thereof the word "commence".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY-SIX.

On page 44, line 3, of the printed bill, strike out the words "suits and", and then insert the words "and proceedings" after the word "actions".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY-SEVEN.

On page 44, line 5, of the printed bill, strike out the words "to enforce", and insert in lieu thereof the words "for the enforcement of".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY-EIGHT.

On page 44, line 5, of the printed bill, after the word "all", insert the word "civil".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FORTY-NINE.

On page 44, line 9, of the printed bill, strike out the word "the", and insert the words "any association doing business in this state or its".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY.

On page 44, line 10, of the printed bill, strike out the word "any", and insert in lieu thereof the word "such", and then strike out the words "doing business in this state".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY-ONE.

On page 44, line 11, of the printed bill, after the word "incorporation", insert the words "or charter".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY-TWO.

On page 44, line 11, of the printed bill, strike out the word "of", appearing as the last word in said line, then strike out the words "the laws", in line 12, and insert in lieu thereof the words "any law".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY-THREE.

On page 44, line 12, of the printed bill, insert a comma after the word "state", and then strike out the following: "provided for its government".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY-FOUR.

On page 44, line 13, of the printed bill, strike out the word "unauthorized", and insert in lieu thereof the word "injurious".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY-FIVE.

On page 44, line 15, of the printed bill, strike out the word "unauthorized", and insert in lieu thereof the word "injurious".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY-SIX.

On page 44, line 17, of the printed bill, strike out the words "refuse or neglect to", and insert in lieu thereof the word "not".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY-SEVEN.

On page 44, line 20, of the printed bill, insert the words "or injurious", after the word "unsafe".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY-EIGHT.

On page 44, line 23, of the printed bill, strike out the words "providing for", and insert in lieu thereof the word "deducting".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED FIFTY-NINE.

On page 44, line 24, of the printed bill, strike out the words "exceed in volume", all of lines 25 and 26, and in line 27 strike out the following: "certificates outstanding," and then insert in lieu thereof the following: "equal or exceed the sum of the value of its outstanding shares and investment certificates and the par value of its outstanding stock,".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY.

On page 44, line 42, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "thirty".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY-ONE.

On page 45, line 26, of the printed bill, after the period following the word "provided", insert the following: "Whenever the commissioner shall be in possession of the business, property and assets of any association, and regardless of whether or not he shall be liquidating the affairs of such association, the commissioner may in his discretion (1) apply to the superior court of the county in which the principal office in this state of such association is located for an order confirming any action theretofore taken by the commissioner, or authorizing the commissioner to do any act or to execute any instrument not expressly authorized by this act, which order shall be given and made after a hearing on such notice as the court shall prescribe; (2) pay and discharge any secured claims against such association, whether or not such claims shall theretofore have been presented for payment or have become barred from presentation by the expiration of the time limit hereinafter specified; *provided*, that no such claim shall be paid in an amount larger than the then value of the security therefor; or (3) within six months after taking such possession, disaffirm any executory contracts (including leases) to which such association is a party, and disaffirm any partially executed contracts (including leases) to the extent that they remain executory."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY-TWO.

On page 46, line 7, of the printed bill, strike out the comma following the word "moneys", and the words "debts and claims due or belonging to", and insert in lieu thereof the following: "due to, and claims of,".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY-THREE.

On page 46, line 9, of the printed bill, after the word "pledged", insert the following: "a, hypothecated or transferred in trust".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY-FOUR.

On page 46, line 10, of the printed bill, before the word "prosecute", insert the words "commence and".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY-FIVE.

On page 46, line 11, of the printed bill, after the word "actions", insert the words "and proceedings".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY-SIX.

On page 46, line 11, of the printed bill, strike out the word "liquidations", and insert in lieu thereof the word "liquidation".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY-SEVEN.

On page 46, line 12, of the printed bill, after the word "office", insert the words "in this state".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY-EIGHT.

On page 46, line 13, of the printed bill, strike out the words "which order shall be issued", and insert in lieu thereof the words "given and made".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SIXTY-NINE.

On page 46, line 15, of the printed bill, after the word "debts", insert the following: "or claims".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY.

On page 46, line 17, of the printed bill, strike out the word "debts", and insert in lieu thereof the words "debt or claim".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY-ONE.

On page 46, line 18, of the printed bill, strike out the word "actions", and insert in lieu thereof the word "action".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY-TWO.

On page 46, line 20, of the printed bill, strike out the word "suits", and insert in lieu thereof the word "suit".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY-THREE.

On page 46, line 25, of the printed bill, strike out the word "trustee", and insert in lieu thereof the word "commissioner".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY-FOUR.

On page 46, line 45, of the printed bill, strike out the word "due".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY-FIVE.

On page 46, line 48, of the printed bill, strike out the word "requesting", and insert in lieu thereof the word "to".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY-SIX.

On page 46, line 52, of the printed bill, strike out the word "four", and insert in lieu thereof the word "two".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY-SEVEN.

On page 47, line 1, of the printed bill, after the word "and", insert the following: "within ten days after such first publication".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY-EIGHT.

On page 47, line 12, of the printed bill, after the word "of", insert the words "or to establish".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED SEVENTY-NINE.

On page 47, line 13, of the printed bill, strike out the word "six", and insert in lieu thereof the word "four".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY.

On page 47, line 19, of the printed bill, strike out the following: "after the first pub-", and in line 20, strike out the following: "lication of", and insert in lieu thereof the words "limited in".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY-ONE.

On page 47, line 20, of the printed bill, strike out the words "to creditors, investors", and the words "or others therein provided", in line 21.

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY-TWO.

On page 47, line 31, of the printed bill, strike out the words "counsel and clerical", and insert in lieu thereof the words "special legal counsel, accountants and".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY-THREE.

On page 47, line 37, of the printed bill, strike out the words "addition to", and insert in lieu thereof the words "excess of".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY-FOUR.

On page 48, line 21, of the printed bill, after the comma following the word "liquidation", insert the following: "then upon the written request of the holders of a majority of the stock of such association".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY-FIVE.

On page 48, line 23, of the printed bill, strike out the word "over".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY-SIX.

On page 48, line 23, of the printed bill, strike out the words "stockholders at a meeting thereof to be", and the words "called by the commissioner for that purpose", in line 24, and insert in lieu thereof the following: "association or its trustees".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY-SEVEN.

On page 48, line 25, of the printed bill, after the word "association", insert the words "or its trustees".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY-EIGHT.

On page 48, line 28, of the printed bill, after the word "act", and before the comma, insert "for the payment of which no provision is otherwise made".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED EIGHTY-NINE.

On page 48, line 32, of the printed bill, after the word "expenses", insert the words "as estimated by the commissioner for the ensuing year".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY.

On page 48, line 34, of the printed bill, strike out the words "fixed and determined by".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY-ONE.

On page 48, line 36, of the printed bill, strike out the word "last", and insert in lieu thereof the words "latest annual".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY-TWO.

On page 49, line 14, of the printed bill, strike out the word "treasury", and insert in lieu thereof the word "treasurer".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY-THREE.

On page 49, line 20, of the printed bill, strike out the word "one", and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY-FOUR.

On page 49, line 25, of the printed bill, after the period following the word "controller", insert the following new section:

"Sec. 13.19. Notice from commissioner. Any notice which the commissioner is required or shall desire to give to any association or to any of its investors or to any other person, firm or corporation may be given either by personal service thereof (which, if the person to be served is a corporation, shall be satisfied by personal service upon any officer or director thereof) or by mailing the same, postage prepaid, addressed to such association, investor or other person, firm or corporation at his last post-office address known to the commissioner, or, if no such address shall be known to the commissioner, then, in the case of notice to an association or to any of its investors, at the city or town in which the principal office in this state of such association is located, and in the case of other persons, firms or corporations at San Francisco, California. Any notice given by mail as aforesaid shall be deemed to have been given upon deposit thereof in the mails."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY-FIVE.

On page 49 of the printed bill, strike out all of lines 30 to 39, inclusive, and insert in lieu thereof the following:

"Sec. 14.02. Repeal of other statutes. Title sixteen of part four of division one of the Civil Code of this state, an act approved April 5, 1911, entitled "An act creating a bureau of building and loan supervision; providing for the appointment of an administration official therefor to be known as the building and loan commissioner; prescribing his duties, powers and compensation; providing for a secretary, his powers and compensation; providing for the rental of offices for the use of the bureau and for traveling and office expenses; providing a system for licensing building and loan and other associations, and for assessing and collecting the license fees necessary to meet the salaries and other expenses of the bureau of building and loan supervision; providing a course of procedure where violations of law, or unsafe practices are found to exist, or are reported by the commissioner to the attorney general; providing for involuntary liquidation by trustees, and proceedings in connection therewith; providing for exemption of property of associations in liquidation from attachments, executions and liens, pending liquidation; providing for and requiring associations to procure licenses, pay assessments levied for pro rata of salaries and expenses, and to make and file reports; providing penalties for violations of law and orders of the commissioner; repealing an act approved

March 21, 1905, entitled 'An act creating a bureau of building and loan supervision; providing for the appointment of administration officials therefor to be known as the building and loan commissioners; prescribing their duties, powers and compensation; providing for a secretary, his powers and compensation; providing for the rental of offices for the use of the bureau and for traveling and office expenses; providing a system for licensing building and loan and other associations and for assessing and collecting the license fees necessary to meet the salaries and other expenses; providing a course of procedure where violations of law, or unsafe practices are found to exist, or are reported by the commissioners to the attorney general; providing for involuntary liquidation by trustees, and proceedings in connection therewith; providing for exemption of property of associations in liquidation from attachments, executions and liens, pending liquidation; providing for and requiring associations to procure licenses, pay assessments levied for pro rata of salaries and expenses, and to make and file reports; providing penalties for violations of law and orders of the commissioners; providing for succession in office, and repealing all acts and parts of acts in conflict herewith; also repealing an act approved March 23, 1907 entitled "An act to amend section sixteen (16) of an act entitled 'An act creating a bureau of building and loan supervision; providing for the appointment of administration officials therefor to be known as the building and loan commissioners; prescribing their duties, powers and compensation; providing for a secretary, his powers and compensation; providing for the rental of offices for the use of the bureau and for traveling and office expenses; providing a system for licensing building and loan and other associations, and for assessing and collecting license fees necessary to meet the salaries and other expenses; providing a course of procedure where violations of law, or unsafe practices are found to exist or are reported by the commissioners to the attorney general; providing for involuntary liquidation by trustees, and proceedings in connection therewith; providing for exemption of property of associations in liquidation from attachments, executions and liens pending liquidation; providing for and requiring associations to procure licenses, pay assessments levied for pro rata of salaries and expenses, and to make and file reports; providing penalties for violations of law and orders of the commissioners; providing for succession in office, and repealing all acts and parts of acts in conflict herewith,'" approved March 21, 1905, relating to and providing for reports to building and loan commissioners and the publication thereof; also repealing an act approved March 20, 1909, entitled 'An act to amend sections 3 and 11 of an act entitled "An act creating a bureau of building and loan supervision; providing for the appointment of administration officials therefor to be known as the building and loan commissioners; prescribing their duties, powers and compensation; providing for a secretary, his powers and compensation; providing for the rental of offices for the use of the bureau and for traveling and office expenses; providing a system for licensing building and loan and other associations, and for assessing and collecting license fees necessary to meet the salaries and other expenses, providing a course of procedure where violations of law, or unsafe practices are found to exist or are reported by the commissioner to the attorney general; providing for involuntary liquidation by trustees, and proceedings in connection therewith, providing for exemption of property of associations in liquidation from attachments, executions and liens pending liquidation; providing for and requiring associations to procure licenses, pay assessments levied for pro rata of salaries and expenses, and to make and file reports; providing penalties for violations of law and orders of the commissioners; providing for succession in office, and repealing all acts and parts of acts in conflict herewith,'" approved March 21, 1905, relating to the powers and duties and salaries of the state building and loan commissioners," and all acts amendatory thereof; an act approved May 4, 1925, entitled "An act to add two new sections, to be numbered 15c and 15d, to the 'building and loan commission act,' approved April 5, 1911, as amended, relating to building and loan associations"; an act approved April 13, 1927, entitled "An act making full paid investment certificates issued by any building and loan association licensed by, and under the direct supervision of the building and loan commissioner of the State of California in accordance with the provisions of title sixteen, part four, division first of the Civil Code, legal investments for certain purposes"; an act approved May 23, 1929, entitled "An act to amend sections 2 and 15b of the 'building and loan commission act' and to add a new section thereto to be numbered section 1a, relating to securing permits from the building and loan commissioner before selling or offering for sale guarantee capital stock or permanent nonwithdrawable capital stock of building and loan associations; relating to the formation of building and loan associations, providing penalties for the violation of the provisions of the act; the term of office of the commissioner; and providing for the bonding of all officers and employees of licensees of the building and loan commissioner"; and all acts and parts of acts inconsistent with the provisions of this act, are hereby repealed."

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY-SIX.

On page 50, line 35, of the printed bill, strike out the word "decision", and the following comma.

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY-SEVEN.

On page 50, line 38, of the printed bill, after the word "and", insert a comma, and the following: "except where in this act such offense is declared to be a felony or misdemeanor or a different punishment is prescribed,".

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY-EIGHT.

On page 50, line 41, of the printed bill, strike out the words "This section shall be subject", then strike out all of lines 42 to 44, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWO HUNDRED NINETY-NINE.

On page 50, line 47, of the printed bill, strike out the word "section", and insert in lieu thereof the word "sections".

Amendment adopted.

AMENDMENT NUMBER THREE HUNDRED.

On page 50, line 48, of the printed bill, after the period following the word "disregarded", insert a new section as follows:

"Sec. 14.07. Void agreements. Wherever it is stated in this act that an agreement or contract contrary to the provisions of this act, or of a particular article, section or provision of this act, shall be void, such statement shall be deemed limited to the particular portion of such agreement or contract which shall be contrary to such article, section or other provision of this act, and the entire agreement or contract shall not be void unless such particular part thereof shall not be separable therefrom."

Amendment adopted.

AMENDMENT NUMBER THREE HUNDRED ONE.

On page 50, line 49, of the printed bill, strike out the numerals "14.07", and insert in lieu thereof the numerals "14.08".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Building and Loan Associations.

RUSH ORDER TO PRINTER.

On motion of Senator Inman, the Secretary was directed to issue a rush order for printing Senate Bill No. 481.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 194—An act to amend section 6 of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, prescribing a penalty for violation of parole;

Also: Senate Bill No. 195—An act to amend section 16a of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, relating to escapes from a State narcotic hospital;

Also: Senate Bill No. 318—An act to amend sections 6a, 6b and 16 and to repeal sections 7, 8, 13 and 14 of the "Narcotic Rehabilitation Act," relating to government of the State Narcotic Hospital, commitments, discharge and parole of inmates; prohibiting escapes and prescribing penalties;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—6.

WILLIAMS, Chairman.

Senate Bills Nos. 194, 195 and 318 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 403—An act to provide for the inspection and certification of liquid eggs, frozen eggs and dried eggs and any other egg products imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with respect thereto, and to provide penalties for violations of the provisions of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Agriculture and Live Stock.

Committee membership—7; committee vote: Ayes—6.

WILLIAMS, Chairman.

Senate Bill No. 403 ordered re-referred to Committee on Agriculture and Live Stock.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Wagy: Senate Concurrent Resolution No. 22—Relative to proclaiming October 11th of each year "General Pulaski's Memorial Day" for the observance and commemoration of the death of Brigadier General Casimir Pulaski.

Resolution read, and referred to Committee on Judiciary.

SENATOR NELSON IN THE CHAIR.

At eleven o'clock and twenty-three minutes a.m., Senator Nelson of the First District was called to the chair.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 35—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 35 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Swing, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 36—An act confirming, ratifying and declaring valid the formation and organization of Castro Valley county water district and also all of the acts and proceedings of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 36 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran,

Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 38—An act to enable municipalities to become annexed to municipal utility districts, to agree upon and give effect to terms and conditions of annexation and to transfer property to municipal utility districts in consideration of and upon annexation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 38 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Tubbs, Wagy, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 39—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by adding a new section to be numbered 12a, relating to the annexation of county water districts to municipal utility districts, enabling the legislative body of any county water district to agree upon and give effect to terms and conditions of annexation and transfer property to municipal utility districts in consideration of and upon annexation, and declaring the urgency of said amendment.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall go into immediate effect. The following is a statement of the facts constituting such urgency and necessity: Various county water districts and their inhabitants are now faced with impending water shortages, and the peace, health, safety and welfare of the citizens of this State residing therein are dependent upon the immediate acquisition of an adequate and pure water supply for their public and domestic requirements, which can only be secured from certain existing municipal utility districts. Said municipal utility districts are at present without authority to enter into appropriate arrangements for supplying said citizens and districts with water, but said amendment will enable municipal utility districts to provide for their public and domestic requirements and avert impending water shortages.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Tubbs, Wagy, and Young—28.

NOES—None.

The question being on the final passage of the bill.

The roll was called, and Senate Bill No. 39 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Swing, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 40—An act to amend section 6a of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the annexation of municipalities and county water districts to municipal utility districts, and declaring the urgency of said amendment.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall go into immediate effect. The following is a statement of facts constituting such urgency and necessity: Various county water districts and their inhabitants are now faced with impending water shortages, and the peace, health, safety and welfare of the citizens of this State residing therein are dependent upon the immediate acquisition of an adequate and pure water supply for their public and domestic requirements, which can only be secured from certain existing municipal utility districts. Said municipal utility districts are at present without authority to enter into appropriate arrangements for supplying said citizens and districts with water, but said amendment will enable municipal utility districts to provide for their public and domestic requirements and avert impending water shortages.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 40 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 304—An act to amend section 626e of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 304 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Tubbs, Waggy, Williams, and Young—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 58—An act to amend section 1 of chapter 316, Statutes of 1927, entitled "An act to regulate the method of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, to include justice of the peace court and all other inferior courts now existing or which may hereafter be provided by law.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 58 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Tubbs, Waggy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 508—An act to amend section 626s of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 508 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 452—An act to amend section 4.821 of the School Code, relating to the increase of apportionments to elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 452 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran,

Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read :

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 323—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class;

Also: Assembly Bill No. 324—An act to amend section 1949 of the Juvenile Court Law, relating to probation officers in counties of the ninth class;

Also: Assembly Bill No. 325—An act to amend section 1649 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class;

Also: Assembly Bill No. 200—An act to amend section 7, 7a and 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class; to provide for the number of judges, clerks, marshals and other officers and attaches of such municipal courts and their deputies; to fix the compensation therefor;

Also: Assembly Bill No. 311—An act to add a new section to part II, title Xa, chapter 2, of the Code of Civil Procedure, to be known as section 831j, relating to the force and effect of proceedings and judgments of municipal courts.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

Assembly Bills Nos. 323, 324 and 325 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 200 and 311, read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At twelve o'clock and four minutes p.m., on motion of Senator Breed, the Presiding Senator declared the Senate adjourned until eleven o'clock a.m., Wednesday, March 4, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, March 4, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 3, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Deuel, the privilege of the floor of the Senate Chamber for this day was unanimously extended to pupils and faculty of Gridley Elementary and High Schools, Sanford Hannah, principal, High School; E. V. Cain, principal, Elementary Grammar School of Gridley, and students as follows: Clarence Newberry, William Stewart, Tonio Jodoi, Chester Hinshaw, Louis Tescher, Reed Chism, Chris. C. Christensen, Richard Swanson, C. Jury, A. Turnbaugh, June Cole, Minerva Scott, Virginia Houser, Mary Wickman, Lillian Janssen, Ella Onyett, Margie Chism, Barbara Harkey, Florence Torsberg, Audrey Hughes, Ellen J. Huston, Claire Oldham, Jimmie London, Gladys Burns, Anne Schafer, William Rancy, Francis Smith, Jr., Joseph Edson, Bob Ingram, Harold Hatch, Jim Bates, Francis B. Carothers, Jr., James M. Craig, Carl R. Jensen, Marjorie Young, Pearl Randolph, Rachel Miller, Virginia Bond, Audrey Carothers, Hilda Powers, Christina Cassady, Mabel Dalton, Evelyn Serviss, Don Harlan, Margaret Caldwell, Vivian Kerr, M. Robinson, Juanna Roe, Lucile Bigelow, Sadie Tominaga, John Jones, Meto Tominaga, Nelson R. Murdock, Howard Dething, Jack Watson, Fred Onstatt, Jr., Martha Hamilton, Margaret Gengler, Jewell Miller, Bruce Jensen, Frank Pfister, Gale Dunn, Winifred Fagan, Ethel Fillmore, Ruth Caldwell, Varda Cowee, Dorothy Van Note, Annie Stuke, Maurice Biggs, Landon A. Dunn, Wane Carrell, Otie Pool, Max Call, Carmen Sewell, Elsie Stearns, Helene Creel, Clifford McKissick, Paul Panecaldo, Allen Nugent, John Hemberger, Jr., Robert Pife, Keith Clawson, Roy Mathews, Robert Benedict, Mildred Dunn and Neta Ray.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to pupils of Robba School at Rio Linda as follows: Mrs. O. Milroy, teacher, and Dorothea Wheeler, Florence Gould, Phyllis Rorman, Marjorie Rorman, Frances Keency, Lois Steinkamp, Mary Orpha Milroy, Frank Ernst, Elizabeth Gould, Carl George, Charles Wright, Kenneth Uden, Lawrence Hanson, Eddie Uden, Cornelius Decker and Robert Beechinor.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. Neumann of San Francisco, California.

On request of Senator Ingels, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bert Busch, district attorney of Lake County.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Russell Scott of Salinas, California, district attorney of Monterey County, and Argyl Campbell, city attorney of Monterey.

On request of Senator Riley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Guy H. Dusenberry and D. E. Lutz of Bishop, California.

On request of Senator Moran, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. P. Mapes, F. H. Husoni and Arthur Rempter of Willows, California.

CERTIFICATE FROM SECRETARY OF STATE.

The following certificate from the Secretary of State was received and read:

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that on the twenty-sixth day of February, 1931, at the special election held in the Thirty-third Senatorial District, as said district was constituted in 1928 and prior to the taking effect of the Reapportionment Act of 1927, Ralph H. Clock was elected to the office of State Senator, Thirty-third Senatorial District, as appears from the official returns of said election and statement thereof on file in my office.

Witness my hand and official seal this fourth day of March, A. D. 1931.

[SEAL]

FRANK C. JORDAN, Secretary of State.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of Senators McKinley, Rochester, Carter, Evans and Pedrotti as a Special Committee of Escort to escort Ralph H. Clock to the bar of the Senate to take his oath of office as State Senator from the Thirty-third District of the State of California.

OATH OF OFFICE ADMINISTERED.

Ralph H. Clock was then presented at the bar of the Senate by the Committee of Escort, where he took and subscribed to the following oath of office, administered by Rolfe L. Thompson, Associate Justice, District Court of Appeal, Third District:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 14—Relative to restoration of the trading value of silver.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Joint Resolution No. 14 referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 11—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively;

Also: Senate Concurrent Resolution No. 12—Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California;

Also: Senate Bill No. 830—An act to amend the title of article VI of chapter I of part IV of division V of the School Code and to amend sections 4.750 and 4.751 thereof, relating to the average daily attendance in school district;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 34—An act to amend chapter 592, Statutes of 1913, entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by amending section 2 of said act relative to the formation of districts organized thereunder and by amending sections 20 and 21 of said act relative to the levy and collection of taxes in such districts;

Also: Senate Bill No. 37—An act to amend sections 6b, 8, 9, 10, 11, 18, 20 and 23 of chapter 218, Statutes of 1921, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, also to add a new section to said act to be numbered 6c, relating to the limitation of time for commencing actions to contest the validity of proceedings for the annexation of territory to municipal utility districts, also to amend section 12 of said act as amended by amending subdivision VIII thereof relating to incurring indebtedness by such districts and providing for refunding of deposits for extensions, and to add a new section to said act to be numbered section 12a legalizing, ratifying, confirming and declaring valid certain obligations, acts, agreements and expenditures of such districts;

Also: Senate Bill No. 80—An act to amend section 1382 of the Penal Code, relating to dismissal of an action for want of prosecution;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 350—An act relating to the formation, organization and proceedings of bridge and highway districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure;

Also: Senate Bill No. 691—An act to amend chapter 379, Statutes of 1915, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith";

Also: Senate Bill No. 747—An act to amend section 637½ of the Penal Code, relating to protection of fish and game;

Also: Senate Bill No. 828—An act to amend section 4741 of the School Code, relating to the determination of the units of average daily attendance in schools closed by boards of health or public disaster;

Also: Senate Concurrent Resolution No. 7—Relative to establishment of a State Prison in one of the southern counties of the State of California;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170b, relating to justices of the peace, police court judges and city recorders;

Also: Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney-at-law;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—15; absent—1.

CHRISTIAN, Chairman.

Senate Bills Nos. 76 and 161 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 92—An act to amend section 538 of the Code of Civil Procedure, relating to affidavits of attachment;

Also: Senate Bill No. 164—An act to add a new section to be numbered 784a, to the Penal Code of the State of California providing for and relating to the jurisdiction of criminal actions for slander and in what county or counties such criminal actions shall be commenced and tried;

Also: Senate Bill No. 454—An act to amend section 602 of the Penal Code, relating to trespass;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—16; committee vote: Ayes—15; absent—1.

CHRISTIAN, Chairman.

Senate Bills Nos. 92, 164 and 454 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 407—An act to add section to be numbered section 693 to the Political Code, relating to the preparation and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, and to repeal "An act relating to the advertising and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the State Board of Control and vesting in the State Board of Control the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore given to any State officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," approved December 18, 1911;

Also: Senate Bill No. 88—An act to amend sections 1547 and 1549 of the Code of Civil Procedure, relating to the giving of notice of sales of property by executors and administrators;

Also: Senate Bill No. 90—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—16; committee vote: Ayes—15.

CHRISTIAN, Chairman.

Senate Bills Nos. 407, 88 and 90 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, February 27, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Crittenden to introduce a bill entitled: "An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schotky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—35.

NOES—None.

Also:

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Harper to introduce a bill entitled: "An act making an appropriation for the purchase of an aeroplane for the use of the Governor of the State of

California"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced, and referred as indicated:

By Senator Crittenden: Senate Bill No. 925—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Harper: Senate Bill No. 926—An act making an appropriation for the purchase of an aeroplane for the use of the Governor of the State of California.

Bill read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, by amending the title thereof, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 106, 110, 111, 113, 119, 122, 123, 124, 125, 126, 135, 136, 138, 142, 145, 146, and by adding thereto new sections numbered 7¼, 45¾, 47¼, 57½, 62½, 64½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act—has had the same under consideration and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—15; committee vote: Ayes—12; absent—3.

BAKER, Chairman

SECOND READING OF SENATE BILL NUMBER FIVE HUNDRED FORTY-EIGHT.

Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, by amending the title thereof, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 106, 110, 111, 113, 119, 122, 123, 124, 125, 126, 135, 136, 138, 142, 145, 146, and by adding thereto new sections numbered 7¼, 45¾, 47¼, 57½, 62½, 64½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil

process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, after the word "thereof", insert the words "by repealing section 20".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill, after the figures "126", insert the figures "131".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 42, of the printed bill, strike out the word "schools".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 44, of the printed bill, after the word "nine", insert the following: "and any other provisions of the act deemed desirable".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 7, line 50, of the printed bill, strike out the words "nonresident vehicle", and insert in lieu thereof the words "foreign vehicle".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 8, line 12, of the printed bill, strike out the word "privilege", and insert in lieu thereof the word "permit".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 9, line 29, of the printed bill, strike out the words "or removal from the state".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 9 of the printed bill, strike out all of lines 51 and 52, and on page 10, strike out all of lines 1 to 4, both inclusive, and insert in lieu thereof the following: "(c) Whenever any judge of a juvenile court shall find that any minor under the age of eighteen years who has been duly licensed under this act has committed any offense defined in sections 112 or 121 or 126 or 141 of this act, or has twice within a period of six months preceding committed the offense defined in section 113 of this act, such judge shall immediately report".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 10, line 5, of the printed bill, strike out the word "facts", and insert in lieu thereof the word "findings".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 12, line 35, of the printed bill, after the word "pounds", insert the following: "provided, that the total gross weight of a four-wheel vehicle and a two-wheel semitrailer attached thereto shall not exceed thirty-four thousand pounds."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 12, line 38, of the printed bill, strike out the words "thirty-four", and insert in lieu thereof the words "twenty-six".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 13, line 24, of the printed bill, after the word "vehicle", insert the words "other than a motorcycle".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 17, line 26, of the printed bill, after the word "contents", insert the words "other than water".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 18 of the printed bill, strike out all of lines 50 to 52, both inclusive, and on page 19, strike out all of lines 1 to 19, both inclusive.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 19, line 20, of the printed bill, strike out "Sec. 31.", and insert in lieu thereof "Sec. 30."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 20, line 1, of the printed bill, strike out "Sec. 32.", and insert in lieu thereof "Sec. 31."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 20, line 9, of the printed bill, after the word "white", insert the words "or amber".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 20 of the printed bill, at the end of line 10, after the word "lamp", insert the words "and identification lamps".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 20, line 12, of the printed bill, after the word "rear", insert the words "other than a clearance lamp", and after the word "red", insert the word "and".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 20 of the printed bill, strike out all of lines 25 to 28, both inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 20, line 29, of the printed bill, strike out "Sec. 33.", and insert in lieu thereof "Sec. 32."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 20, line 43, of the printed bill, strike out "Sec. 34.", and insert in lieu thereof "Sec. 33."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 21, line 19, of the printed bill, strike out the words "upon conviction", and insert in lieu thereof the words "unless a greater penalty is imposed by this act".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 22, line 1, of the printed bill, strike out the word "district", and insert in lieu thereof the word "districts".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 22, line 11, of the printed bill, strike out "Sec. 35.", and insert in lieu thereof "Sec. 34."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 22, line 26, of the printed bill, strike out "Sec. 36.", and insert in lieu thereof "Sec. 35."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 22, line 41, of the printed bill, after the word "manner", insert the words "or in such position".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 23, line 1, of the printed bill, strike out "Sec. 37.", and insert in lieu thereof "Sec. 36."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 23, line 3, of the printed bill, after the words and figures "Sec. 119.", insert the following: "Unlawful to exceed safe speed upon bridges or through tunnels."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 23, line 41, of the printed bill, strike out "Sec. 38.", and insert in lieu thereof "Sec. 37."

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 24, line 3, of the printed bill, after the word "approaching", insert the words "within one hundred feet of", and in line 4 after the word "approaching", insert the words "within one hundred feet of".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 24, line 13, of the printed bill, change the word "of", where it appears the second time in said line to read "to".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 24, line 15, of the printed bill, strike out "Sec. 39.", and insert in lieu thereof "Sec. 38."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 24, line 35, of the printed bill, strike out "Sec. 40.", and insert in lieu thereof "Sec. 39."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 24, line 48, of the printed bill, strike out "Sec. 41.", and insert in lieu thereof "Sec. 40."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 25, line 11, of the printed bill, after the word "unmarked", insert the words "upon the right half of the paved portion of a city street or upon any hard surface highway having space for two or more lines of traffic in each direction".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 25, line 25, of the printed bill, strike out "Sec. 42.", and insert in lieu thereof "Sec. 41."

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 25, line 35, of the printed bill, strike out the words "nor shall the", and insert the following: "and in every event the overtaking vehicle shall return to the right hand side of the highway before coming within one hundred feet of any vehicle approaching from the opposite direction. The", and in said line 35, after the word "vehicle", insert the words "shall not".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 25, of the printed bill, at the end of line 38, insert the following:

"Sec. 42. Section 131 of said act is hereby amended to read as follows:

Sec. 131. Right of Way.

(a) Vehicles approaching an intersection. The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection. When two vehicles enter an intersection at the same time the driver of the vehicle on the left shall yield to the driver on the right.

(b) Vehicle turning left at intersection. The driver of a vehicle within an intersection intending to turn to the left shall yield to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard but said driver having so yielded and having given a signal when and as required by law may make such left turn and other vehicles approaching the intersection from said opposite direction shall yield to the driver making the left turn.

(c) Driver entering through highway. The driver of any vehicle who has stopped as required by law at the entrance of a through highway shall yield to other vehicles within the intersection or approaching so closely on the through highway as to constitute an immediate hazard but said driver having so yielded may proceed and other vehicles approaching the intersection on the through highway shall yield to the vehicle so proceeding into or across the through highway."

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 26, line 34, of the printed bill, after the word "tracks", first appearing, insert the words "within a business or residence district".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 26, line 37, of the printed bill, strike out the word "crossing", and insert the word "crossings".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 28, line 47, of the printed bill, insert a period after the word "fire", and strike out the words "is guilty of a misdemeanor".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 29, line 11, of the printed bill, strike out the words "reports of accidents by common carriers", and strike out all of line 12 and insert in lieu thereof the following:

"With respect to any such accident involving a collision between any common carrier and another vehicle, such common carrier shall also make a report of the accident to the division, such report to be filed".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 29 of the printed bill, at the end of line 17, insert a period and strike out all of lines 18 to 21, both inclusive.

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 30 of the printed bill, strike out all of lines 5 to 7, both inclusive, and insert in lieu thereof the following: "the death of any person during the preceding calendar month as the result of an accident involving a motor vehicle and the circumstances of such accident."

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 30, line 19, of the printed bill, after the word "boulevards", insert the words "or certain intersections", and in line 20, after the word "boulevards", insert the words "or at one or more entrances to any designated intersections", and in line 21, after the word "boulevards", insert the words "and intersections".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 31, line 31, of the printed bill, after line 21 insert the following: "Sec. 54. Section 20 of said act is hereby repealed."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 27, line 11, of the printed bill, after the word "gravity", insert the words "or any poisonous gases".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and re-referred to the Committee on Motor Vehicles.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, March 2, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 546—An act to amend the "California Vehicle Act" approved May 30, 1923, as amended by amending section 77 of said act relating to the registration fees to be paid upon registration of motor vehicles, trailers and semi-trailers—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—15; committee vote: Ayes—12; absent—3.

BAKER, Chairman.

Senate Bill No. 546 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following resolution was offered:

Senate Joint Resolution No. 11—Relative to accepting permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over the said rights of way, approach roads, toll areas, bridge ends, and bridge.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER ELEVEN.

Senator Slater asked for, and was granted, unanimous consent to take up, at this time, without reference to committee, Senate Joint Resolution No. 11 for purpose of adoption.

SENATE JOINT RESOLUTION No. 11.

Relative to accepting permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over the said rights of way, approach roads, toll areas, bridge ends, and bridge.

WHEREAS, The Secretary of War of the United States has by grant dated the thirteenth day of February, 1931, granted to the Golden Gate Bridge and Highway District certain rights of way upon which are to be located the approach roads, toll areas and bridge ends of the proposed Golden Gate Bridge; and

WHEREAS, The said grant is by its terms granted in lieu of, and supersedes the permit to the Golden Gate Bridge and Highway District dated October 27, 1930; and

WHEREAS, The said permit dated the thirteenth day of February, 1931, requires as a condition precedent to the taking effect of such permit that the State of California accept the same and conform to certain other requirements therein contained; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly. That the said permit granted by the Secretary of War to Golden Gate Bridge and Highway District be and the same hereby is, together with each, all, every and singular the terms, conditions, limitations, reservations, and requirements therein contained, accepted by and on behalf of the State of California; and, be it further

Resolved, That the State of California does hereby make application to Congress for a retrocession of jurisdiction over the rights of way, toll areas, bridge ends, and the bridge itself to be constructed across the Golden Gate Bridge at the mouth of San Francisco Bay and mentioned, described and designated in that certain grant from the Secretary of War to the Golden Gate Bridge and Highway District dated February 13, 1931; and, be it further

Resolved, That the State of California will, in case such retrocession of jurisdiction is granted by Congress, accept such retrocession of jurisdiction, and will assume the responsibility for managing, controlling, policing, and regulating traffic, all subject to the following limitations and to such other limitations as Congress may prescribe:

a. That nothing in said permit contained shall be construed to give to the State of California or any of its agents, authority at any time to regulate traffic of military personnel or vehicles upon the said bridge or roads. All traffic upon said roads and upon said bridge shall be free from any tolls, charges or any form of obstruction by State or other agencies, against military and naval personnel and their dependents, civilians of the Army and Navy traveling on government business under military authority, and government traffic.

b. That whenever in the judgment of the Secretary of War or his authorized representative any emergency exists which justifies it, he may assume exclusive control and management of said bridge and roads and may then in his discretion prohibit, limit or regulate traffic thereon.

c. That nothing in said permit contained shall be construed to confer upon the State courts the right to try persons subject to military law for crimes or offenses committed on said roads, or upon said bridge within the boundaries of the respective military reservations involved, but the courts of the United States or military tribunals as now or hereafter provided by law, shall retain exclusive jurisdiction to try such persons for such offenses.

Be it further

Resolved, That the State of California does hereby agree to make the bridge and highways and toll areas in said permit described a part of the system of public highways of the State; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the Secretary of War, to each House of Congress, and to the Senators and Representatives in Congress of the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 11 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Senate Joint Resolution No. 11 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 150—An act confirming and validating the formation or organization and existence of reclamation districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4.

McCORMACK, Chairman.

Senate Bill No. 150 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 151—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4.

McCORMACK, Chairman.

Senate Bill No. 151 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 316—An act to revise chapter 712, Statutes of 1921, entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed bill, strike out the word "camelorem", and insert in lieu thereof the word "camelorum".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 24, of the printed bill, strike out the word "drabe", and insert in lieu thereof the word "draba".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, strike out the word "Convulvux", and insert in lieu thereof the word "Convolvulus".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, strike out entire line, and insert in lieu thereof the following:

"2. Poverty weed (*Iva axillaris*)."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 8, of the printed bill, strike out entire line, and insert in lieu thereof the following:

"3. Goat grass (*Aegilops triuncialis*)."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 10, of the printed bill, strike out entire line, and insert in lieu thereof the following:

"5. Russian thistle (*Salsola pestifer*)."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 11, of the printed bill, strike out the word "*eleagnifolium*", and insert in lieu thereof the word "*eleagnifolium*".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, of the printed bill, between line 17 and line 18, insert the following: "12. Puncture vine (*Tribulus terrestris*)."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 38, of the printed bill, after the word "name", insert the following: "and number per pound".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 50, of the printed bill, after the third comma, insert the following: "Sudan grass,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 2, of the printed bill, strike out the word "Sudan", and the comma following it.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 26, of the printed bill, after the word "name", insert the following: "and number per pound".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 2, of the printed bill, after the word "name", insert the following: "and number per pound".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, after line 28 of the printed bill, insert the following:

"Sec. 8a. Any person, firm or corporation who appears to have violated any of the provisions of this act shall, before the filing of a complaint against said person, firm or corporation, be granted opportunity for a hearing before the director of agriculture under such rules and regulations as may be adopted by said director which shall include the giving of proper written notice. At the hearing said person, firm or corporation may be represented by council."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 49—An act repealing chapter 537, Statutes of 1911, entitled "An act to provide for the preparation and distribution of serums or vaccines for the prevention of the disease known as cholera in hogs in the State of California, making an appropriation therefor and prescribing the duties of the Controller and Treasurer in relation thereto," approved April 21, 1911.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 56—An act to add two new sections to the Penal Code, to be numbered 597*h* and 597*i*, relating to the cropping of the ears of dogs.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 13—An act to add a new section to the Penal Code, to be numbered 64*a*, relating to the filing of initiative or referendum petitions.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, insert after "the" and before "county", the following: "secretary of state,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after "petition", insert the following: "relating to the constitution or the laws of the State of California,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, insert after "the" and before "initiative", the word "statewide."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, after "both.", insert the following: "For the purposes of this section the proponents of an initiative or referendum measure shall be deemed to be those persons who submit a draft of the petition proposing said measure to the attorney general with a request that he prepare a title, and summary of the chief purposes and points of said proposed measure, as provided in section 1197*a* of the Political Code."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 194—An act to amend section 6 of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, prescribing a penalty for violation of parole.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 195—An act to amend section 16*a* of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, relating to escapes from a State Narcotic Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 318—An act to amend sections 6*a*, 6*b* and 16 and to repeal sections 7, 8, 13 and 14 of the "Narcotic Rehabilitation Act," relating to government of the State Narcotic Hospital, commitments, discharge and parole of inmates; prohibiting escapes and prescribing penalties.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 434—An act making an appropriation to pay the claim of Luis F. Wolter against the State of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out the words "Luis F. Wolter", and insert in lieu thereof the words, "the comptroller of the state compensation insurance fund".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, of the printed bill, strike out all of lines 1 to 3, inclusive, and insert in lieu thereof the following :

"SECTION 1. The sum of twenty-six dollars and seven cents (\$26.07), out of any moneys in the state compensation insurance fund not otherwise appropriated, is hereby appropriated to pay the claim of the comptroller of the state compensation insurance fund against".

Amendment adopted.

Bill ordered re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

SENATE CONCURRENT RESOLUTION No. 11.

Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively.

Resolved by the Senate, the Assembly concurring. That there shall be printed as a public document 500 copies of the session of the department encampment of California of the United Spanish War Veterans for the year 1931 and of each succeeding department encampment, together with illustrations, copies of general orders of the department and of the official roll, 250 copies for the use of the Senate and 250 copies for the use of the Assembly. Annual cost of same not to exceed \$600 payable from the legislative printing appropriation; and be it further

Resolved. That there shall be printed as a public document 500 copies of the report of the annual convention of the Disabled American Veterans of the World War of the Department of California for the year 1931 and of each succeeding annual convention, together with illustrations, copies of general orders enacted at such convention and of the official roll, 250 copies for the use of the Senate and 250 copies for the use of the Assembly. Annual cost of same not to exceed \$600 payable from the legislative printing appropriation.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 11 adopted by the following vote :

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagly, and Young—34.

NOES—None.

Senate Concurrent Resolution No. 11 ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 12.

Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California.

Resolved by the Senate, the Assembly concurring. That there shall be printed as a public document, 500 copies of the report of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California, for the year 1931 and of each succeeding annual convention together with illustrations, copies of general orders enacted at such convention and of the official roll, 250 copies for the use of the Senate and 250 copies for the use of the Assembly, the annual cost thereof, not exceeding \$600, to be payable from the appropriation for legislative printing.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 12 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—36.

NOES—None.

Senate Concurrent Resolution No. 12 ordered transmitted to the Assembly.

Senate Bill No. 350—An act relating to the formation, organization and proceedings of bridge and highway districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure.

Bill read third time.

URGENCY CLAUSE.

SEC. 7. This act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the constitution of the State of California, and it is deemed necessary for the immediate preservation of the public peace, health and safety that this law shall go into immediate effect. The following is a statement of the facts constituting such urgency: The population of this State and the traffic on the highways thereof are very rapidly increasing and in all probability will in the future continue to so increase. The facilities for transportation in this State are inadequate for the needs of the population thereof and such increased traffic, and it is essential that such facilities be immediately increased and improved by the construction of bridges and other works by bridge and highway districts; and unless such bridges are constructed in the near future the public health and safety will be endangered due to congestion of traffic on existing roads and highways in said State. Moreover, there are at the present time a large number of persons in the State of California who are unemployed and who are without means of livelihood. The construction of bridges and other works by bridge and highway districts of this State will furnish work for a large number of such persons and prevent them from becoming public charges. If the provisions of this act become a law immediately, the sale by such bridge and highway districts of their securities will be furthered, and they will thereby be enabled to obtain without delay the necessary funds for the construction of such bridges and works, and for the employment of a large number of persons hereinabove mentioned who are now without employment, and said districts will also be materially aided in securing bids from contractors and others for the construction of such bridges and works and for the supplying of materials therefor.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—36.

NOES—None.

The question being on the final passage of the bill.

The roll was called, and Senate Bill No. 350 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 14—Relating to the appointment of a representative from this State to a committee composed of representatives from the states of Oklahoma, Texas, Kansas and New Mexico for the purpose of sponsoring legislation to conserve natural resources.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION

NUMBER FOURTEEN.

Senator Sharkey asked for, and was granted, unanimous consent to take up, at this time, without reference to committee, Assembly Concurrent Resolution No. 14 for purpose of adoption.

ASSEMBLY CONCURRENT RESOLUTION No. 14.

Relating to the appointment of a representative from this State to a committee composed of representatives from the states of Oklahoma, Texas, Kansas and New Mexico for the purpose of sponsoring legislation to conserve natural resources.

WHEREAS, Pursuant to an agreement entered into on the twenty-eighth day of February, 1931, between the states of Oklahoma, Texas, Kansas and New Mexico, there was appointed a committee of representatives of oil producing states to be styled the "Oil States Advisory Committee," composed of one member from each of said states; and

WHEREAS, The State of California is vitally interested in to discuss, recommend and sponsor such legislation as may be advisable or necessary effectually to conserve the deposits of oil and gas and other natural resources; and

WHEREAS, The purposes and objects of said committee are such conservation and in any legislation to effectuate the same; and

WHEREAS, The State of California has been invited by Hon. William H. Murray, Governor of the state of Oklahoma, to appoint a representative to said Oil States Advisory Committee, which committee is to meet for the purpose of conferring upon said matters on the seventh day of March, 1931, at Texarkana, Texas; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate concurring, That the Governor appoint a delegate to represent the Legislature and the State of California upon the Oil States Advisory Committee, and that said delegate shall have authority and it shall be his duty to confer and negotiate with the other duly appointed members of said committee representing the states above named respecting the conservation of oil and gas and other natural resources, and to aid said committee in rendering and sponsoring such legislation as may be desirable or necessary to effectuate such conservation; and be it further

Resolved, That it shall be the duty of said delegate to report to the present session of the Legislature from time to time as to the proceedings and conclusions of said committee; and be it further

Resolved, That the delegate to said committee shall serve without compensation, but shall be allowed his traveling, hotel and necessary incidental expenses, and said delegate shall be authorized to employ such clerical assistance as he may deem necessary; and be it further

Resolved, That the sum of \$1,000 is hereby set aside from the Contingent Fund of the Senate and a like sum from the Contingent Fund of the Assembly, and said sums or so much thereof as may be necessary are hereby made available for the purpose of defraying the expenses, if any, of such delegate to the meeting to be held in Texarkana, Texas, on the seventh day of March, 1931, or to any other

meetings that said committee may hold or any of the expenses authorized to be incurred under the provisions of this resolution. Said expenses shall be paid equally from such portions of the contingent funds of the Senate and Assembly as are hereby made available, and the State Controller is hereby authorized and directed to draw his warrant in favor of said delegate for such expenditures as may be certified to him from time to time by said delegate, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Concurrent Resolution No. 14 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—36.

NOES—None.

Assembly Concurrent Resolution No. 14 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 34—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, by amending section 2 of said act relative to the formation of districts organized thereunder and by amending sections 20 and 21 of said act relative to the levy and collection of taxes in such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 34 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 37—An act to amend sections 6b, 8, 9, 10, 11, 18, 20 and 23 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, also to add a new section to said act to be numbered 6c, relating to the limitation of time for commencing actions to contest the validity of proceedings for the annexation of territory to municipal utility districts, also to amend section 12 of said act as amended by amending subdivision VIII thereof relating to incurring indebtedness by such districts and providing for refunding of deposits for extensions, and to add a new

section to said act to be numbered section 12a, legalizing, ratifying, confirming and declaring valid certain obligations, acts, agreements and expenditures of such districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 37 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 317—An act to amend section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," relating to funds—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—10; absent—3.

EDWARDS, Chairman.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED SEVENTEEN.

Senate Bill No. 317—An act to amend section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," relating to funds.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title of said act and insert in lieu thereof the following:

"An act to amend section 21 of the act of the legislature of the State of California entitled, "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, as amended, relating to bridge and highway districts; and declaring this act to be an urgency measure."

Amendment adopted.

AMENDMENT NUMBER TWO.

On pages 1 and 2 of the printed bill, strike out all of the section in the bill now numbered Section 1 (being lines 1 to 20, inclusive, page 1, and lines 1 to 34, inclusive, on page 2) and insert in lieu thereof the following:

"SECTION 1. Section 21 of the act of the Legislature of the State of California entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction of said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, by the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25, 1923, as amended, is hereby amended to read as follows:

Sec. 21. (a) Interest during construction. At or before the time of issuing any bonds the board of directors shall estimate (1) the total cost of constructing and/or acquiring the works for which such bonds are to be issued, (2) the period of construction of such work and (3) the amount of bonds which will be required to pay such total estimated cost and to pay interest on the bonds during such estimated period of construction and six months thereafter. No bonds shall be issued if such estimated amount of bonds required to pay such estimated cost and interest shall exceed the total amount of bonds authorized to be issued as provided in this act. Bonds may be issued at any time or from time to time and shall be issued in such amount or amounts not exceeding the total amount of bonds authorized as will produce a sum sufficient to pay the cost of constructing and/or acquiring such works and interest on the bonds so issued during the period of construction and six months thereafter; *provided, however*, that failure to issue the full amount of bonds herein specified shall not invalidate any bonds of the district. If the completion of construction of the works shall for any reason be delayed beyond the period so estimated for such construction the board of directors shall cause a tax to be levied and collected in the manner provided in section 14 sufficient to produce the amount required to pay the interest which will accrue on the bonds during such period of delay; *provided, however*, that if during the month of July next preceding the expiration of the period so estimated it shall appear to the board of directors that the construction of the works is likely to be delayed beyond the period so estimated the board shall estimate the period of such delay and cause a tax to be levied and collected sufficient to produce the amount required to pay the interest which will accrue on the bonds during such estimated period of delay; *and provided, further*, that the amount of such tax shall be reduced to the extent that the district has funds on hand and available for the purpose of paying such interest.

(b) Surplus of bond proceeds. If there shall remain a surplus of the proceeds of bonds issued by the district, including premium, if any, after paying the cost of constructing and/or acquiring such works and interest on the bonds during the actual period of construction and for a period of six months thereafter, there shall be set aside out of such surplus in a reserve interest fund an amount equal to one year's interest on the bonds, or, if such surplus shall be less than one year's interest on the bonds, all of such surplus shall be so set aside. Such fund shall be deposited as other funds of the district or invested in securities which are or may hereafter be made legal for the security of public funds when deposited in banks, and shall be used solely for the payment of interest on such bonds whenever there shall be a deficit in the revenues of the works and only to the extent of such deficit. If such surplus shall exceed one year's interest on the bonds, the balance shall be placed in the fund for the payment of such bonds.

(c) Pledge of revenues. The board of directors shall in each fiscal year set aside in separate funds out of the revenues of the works sufficient sums

- (1) To pay the operating expenses of the district,
- (2) To provide for repairs and depreciation of the works,
- (3) To pay the interest of such bonds as it becomes due, and
- (4) To provide a sinking or other fund for the payment of such bonds as they become due, and the revenues of the works are hereby pledged to such purposes.

(d) Provisions for deficit of revenues. For the purpose of paying the principal or interest of bonds due or to become due within four months, and not otherwise adequately provided for, the district may borrow money in anticipation of the receipt of either the revenues and taxes of the fiscal year in which the loan is made or the revenues and taxes of the next succeeding fiscal year, and such loan shall be payable not later than the end of such next succeeding fiscal year. Negotiable notes shall be issued for all moneys so borrowed, which notes may be renewed from time to time, and money may be borrowed upon new notes from time to time after the payment of any indebtedness evidenced thereby; but all such notes and loans shall mature within the time limited for the payment of the original loan. No money shall be so borrowed at a rate of interest exceeding the maximum rate permitted by law. Such notes may be disposed of in such manner as the board of directors may determine. All such notes shall be authorized by a resolution of the board of directors, which shall fix the actual or maximum face amount of the notes, the actual or maximum rate of interest to be paid upon the amount borrowed and the actual or approximate maturity of the notes. The form and manner of execution of such notes shall be determined by the board of directors.

After the expiration of the period which was estimated, as above provided, before the issuance of any bonds as the period for the construction of the works, the board of directors shall, in the month of July in each year, cause a tax to be levied and collected in the manner provided in section 14 in an amount, after deducting any available and applicable moneys on hand (but in no event moneys in the reserve interest fund) and the estimated amount of revenues of the works for the ensuing twelve months, such estimated amount not to exceed the actual revenues for the preceding twelve months (or, if the works shall not have been in operation for as long as twelve months, not to exceed an amount computed on the basis of the average daily revenues for such lesser period), sufficient to produce the sums required by paragraph (c) of this section to be set aside into separate funds, as well as any deficit in such funds and the principal and interest of any outstanding revenue and tax anticipation notes.

The taxes herein required to be levied and collected shall be in addition to all other taxes levied for county or city and county purposes, and all taxable property of the district shall be and remain liable to be taxed as herein provided until the entire principal and interest of the bonded indebtedness of the district has been paid in full.

(e) Surplus of revenues. To the extent, if any, that the revenues of the works for any fiscal year shall contain a surplus over and above an amount sufficient to provide the sums required to be set aside out of such revenues as hereinabove provided and the amount of any deficit of revenues for any preceding fiscal year and a sum equal to the estimated operating expenses of the district and repairs of the works for the ensuing six months, there shall be set aside out of such surplus and deposited in the reserve interest fund a sum equal to one year's interest on the bonds then outstanding less the amount already contained in such reserve interest fund. Any remainder of such surplus shall be divided by the board of directors and apportioned to each county or city and county within the district in the proportion which the assessed value of property within such county, city and county, or part of a county within the district bears to the total assessed value of property within the district; in case a part only of a county is located within the district, the amount so apportioned to such county shall be deemed a partial payment of county taxes for the current or next succeeding year upon property situate within that portion of the district which lies within such county, and be credited pro rata against such taxes.

(f) Miscellaneous. Prior to the preparation of definitive bonds the board may issue temporary bonds under the same restrictions imposed as to definitive bonds, with or without coupons and in any denomination or denominations, which temporary bonds shall be exchangeable for definitive bonds upon the issuance of the latter. If, after any bond has been duly signed by any officer or officers thereunto authorized, such officer or officers shall cease to hold such office, such bond may nevertheless be delivered with like effect as if the same had been signed by the one or more holding such office or offices at the time of delivery. The bonds may be made registerable as to principal alone or as to both principal and interest under such terms and conditions as may be fixed by the board prior to the issuance thereof. The board is authorized to purchase any bonds from moneys in the sinking or other fund for the payment of bonds, at not more than the par value thereof. All bonds so purchased shall be cancelled and shall not again be issued."

(3) Add to the end of the bill the following:

"Sec. 2. This act is hereby declared to be an urgency measure within the meaning of section 1 of article four of the constitution of the State of California, and it is deemed necessary for the immediate preservation of the public peace, health and safety that this law shall go into immediate effect. The following is a statement of the facts constituting such urgency: The population of this state and the traffic on the highways thereof are very rapidly increasing and in all probability will in the future continue to so increase. The facilities for transportation in this state are inadequate for the needs of the population thereof and such increased traffic, and it is essential that such facilities be immediately increased and improved by the construction of bridges and other works by bridge and highway districts; and unless such bridges and other works are constructed in the near future the public health and safety will be endangered due to congestion of traffic on existing roads and highways in said state. Moreover, there are at the present time a large number of persons in the State of California who are unemployed and who are without means of livelihood. The construction of bridges and other works by bridge and highway districts of this state will furnish work for a large number of such persons and prevent them from becoming public charges. If the provisions of this act become a law immediately, the sale by such bridge and highway districts of their securities will be furthered and they will thereby be enabled to obtain without delay the necessary funds for the construction of such bridges and works and for the employment of a large number of persons hereinabove mentioned who are now without employment, and said districts will also be materially aided in securing bids from contractors and others for the construction of such bridges and works and for the supplying of materials therefor."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Roads and Highways.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 46—An act establishing certain additional State highways and classifying them as secondary highways—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—8; Noes—2.

EDWARDS, Chairman.

Senate Bill No. 46 read second time, ordered engrossed, and on file for third reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 72—An act creating a game refuge to be known as the Huntington Lake Game Refuge, providing for the conservation and protection of game within such district, and providing penalties for violation of the act;

Also: Senate Bill No. 507—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 752—An act to amend section 626c of the Penal Code, relating to the protection of game;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—12.

YOUNG, Chairman.

Senate Bills Nos. 72, 507 and 752 ordered on file for second reading. Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 890—An act to amend section 626m of the Penal Code, relating to hunting and fishing at night—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—10; noes—2; absent—3.

YOUNG, Chairman.

Senate Bill No. 890 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senators Mixer, Bush, Hays, Wagy, Crittenden and Young: Senate Joint Resolution No. 12—Relative to memorializing Congress to make an emergency appropriation as a loan to the Federal Reclamation Fund.

Referred to Committee on Federal Relations.

RECESS.

On motion of Senator Breed, at twelve o'clock and fifteen minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 327—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class.

Also: Assembly Bill No. 328—An act to add a new section to be numbered 9a9 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class.

Also: Assembly Bill No. 346—An act to amend section 261a of the Code of Civil Procedure, relating to employees of the superior court in counties or cities and counties having a population of 900,000 inhabitants and over.

Also: Assembly Bill No. 272—An act to amend section 30 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and provide a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal the act approved April 7, 1911, known as the Direct Primary Law, and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to statement of expenses by candidates, and excluding candidates for certain offices.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED C. DESCH, Assistant Clerk.

Assembly Bills Nos. 327, 328 and 346 read first time, and referred to Committee on County Government.

Assembly Bill No. 272 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 297—An act to amend section 692 of the Code of Civil Procedure, relating to the giving of notice of the sale of property under execution or under the provisions of any deed of trust:

Also: Assembly Bill No. 459—An act to amend section 18 of chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the appointment and duties of clerks, deputy clerks, marshals, deputy marshals, and the filling of vacancies in said offices;

Also: Assembly Bill No. 567—An act to amend section 529 of the Code of Civil Procedure, relating to injunctions;

Also: Assembly Bill No. 569—An act to amend section 172b and 172d of the Civil Code, relating to the sale, mortgage, or lease of community real property by the husband or wife of an insane or incompetent person;

Also: Assembly Bill No. 571—An act to amend sections 1269a and 1269c of the Civil Code, relating to the sale or mortgage of a homestead by the husband or wife of an insane or incompetent person;

Also: Assembly Bill No. 617—An act to amend section 4232a of the Political Code, relating to fees of grand jurors and trial jurors in counties of the third class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 297, 459, 567, 569 and 571 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 617 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as cases of urgency, Senate Bill No. 39—An act to amend chapter 592, Statutes of 1913, entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by adding a new section to be numbered 12a, relating to the annexation of county water districts to municipal utility districts enabling the legislative body of any county water district to agree upon and give effect to terms and conditions of annexation and transfer property to municipal utility districts in consideration of and upon annexation, and declaring the urgency of said amendment.

Also: Senate Bill No. 40—An act to amend section 6a of chapter 218, Statutes of 1921, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the annexation of municipalities and county water districts to municipal utility districts, and declaring the urgency of said amendment.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 39 and 40 ordered to enrollment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 229—An act to amend sections 674 and 900 of the Code of Civil Procedure, relating to recording of copy of judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 229 passed by the following vote:

AYES—Senators Breed, Bush, Christian, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 231—An act to amend sections 542a and 560 of the Code of Civil Procedure, relating to attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 231 passed by the following vote:

AYES—Senators Breed, Bush, Christian, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 81—An act to amend section 583 of the Civil Code, relating to the dismissal of actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 81 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Deuel, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 500—An act to amend section 200 of the Code of Civil Procedure, relating to exemption from jury duty.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 500 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Deuel, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, Mixter, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 80—An act to amend section 1382 of the Penal Code, relating to dismissal of an action for want of prosecution.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 80 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixter, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 691—An act to amend chapter 379, Statutes of 1915, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith."

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Young moved to refer Senate Bill No. 691 to Senator Cassidy as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title, and insert in lieu thereof the following:

"An act to amend section 28 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915," approved May 28, 1917."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1, and insert in lieu thereof the following:

SECTION 1. Section 28 of said act is".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 691, with instructions to amend, respectfully reports the same back, amended as per instructions.

CASSIDY, Committee.

Report read, and on motion of Senator Young adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 747—An act to amend section 637½ of the Penal Code, relating to protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 747 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Hays, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. M. Drew of Fresno, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John Miller, postmaster of Richmond, and Mrs. Miller.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 236—An act to repeal section 1.13 of the School Code, relating to the attendance of Indian children upon public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 236 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 239—An act to repeal sections 2.1197 and 2.1198 of the School Code, relating to the appointments of trustees by superintendents of schools of counties to fill vacancies in school district governing boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 239 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Senate Bill No. 240—An act to amend section 3.5 of the School Code, relating to the opening and maintenance of schools in school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 240 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—32.

NOES—Senator Nelson—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 241—An act to repeal sections 3.120 and 3.121 of the School Code, relating to the admission of children to kindergarten.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 241 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 242—An act to amend section 3.331 of the School Code, relative to the payment of tuition and transportation of high school pupils attending high school in an adjoining state.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 242 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 243—An act to amend section 3.339 of the School Code, relating to the transportation of high school pupils.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 243 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 244—An act to repeal section 3.637 of the School Code, relating to the admission of deaf children to schools established for the deaf.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 244 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 246—An act to add a new article to chapter I of part II of division II of the School Code, to be numbered article IX, embracing sections 2.860 to 2.866, both inclusive, and to repeal article XII, embracing sections 2.1010 to 2.1016, both inclusive, of chapter II of part II of division II of the School Code, all relating to annual meetings of school trustees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 246 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 248—An act to amend section 2.101 of the School Code, relating to petitions for the changing of school district boundaries.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 248 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack,

McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 249—An act to amend section 1.32 of the School Code, relating to causes for suspension or expulsion of pupils from the public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 249 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Cleveland, Crittenden, Evans, Fellom, Inman, Jones, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—24.

NOES—Senators Deuel, Harper, Hays, Ingels, and Maloney—5.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 250—An act to amend section 1.33 of the School Code, relating to the injuring of the property of a school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 250 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Mixter, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, and Young—25.

NOES—Senators Deuel, Fellom, Maloney, Moran, Rich, Swing, and Williams—7.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Mixter:

Senate Joint Resolution No. 13—Relative to the water project of California and inviting the Committee on Irrigation and Reclamation of the United States Senate to visit California, and inspect and investigate said project.

At request of Senator Mixter, Senate Joint Resolution No. 13 was ordered held at the Secretary's desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 160—An act to amend section 3477 of the Political Code, relating to crediting purchasers, forwarding statements, and paying over moneys by registers of reclamation districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—4.

McCORMACK, Chairman.

Senate Bill No. 160 ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Baker:

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation for the construction and equipment of a National Guard Armory at Salinas.

Request referred to Committee on Rules.

By Senator Jones:

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to provide for the establishment of local market milk control boards, and giving to each board power to regulate the prices of milk in the city or town for which it was established, and to prescribe conditions under which milk may be distributed in such city or town.

Request referred to Committee on Rules.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Ingels, the privilege of the floor of the Senate Chamber for this day was unanimously extended to supervisors W. T. Smith and W. P. Mariner of Lake County.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Thursday, March 5, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, March 5, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names.

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 4, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sylvan School, C. T. E. Johnson, principal, and pupils as follows: Samuel Boone, Hubert Boone, Louise Chapman, Norma Coy, Phyllis Croxen, Donald Haworth, Roy Jerue, Charles Krause, Esther Lohse, Inez McCoon, Verney McElroy, Ariel Peugh, Myron Ruggles, Jessie Thomas, Hazel Waggoner, Gilbert Waggoner, Hubert Waggoner, Elgeane Lauppe, Bena Colombo, Stillman Cortell, Leonard Hall, Lillian Martin, Lois May and Alfred Nelson.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 14—Relative to the water project of California and inviting the Committee on Irrigation and Reclamation of the United States Senate to visit California, and inspect and investigate said project.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Joint Resolution No. 14 referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 16—Relative to General Pulaski's Memorial Day.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Concurrent Resolution No. 16 referred to Committee on Military Affairs.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 350—An act relating to the formation, organization and proceedings of bridge and highway districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bill No. 350 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1246—An act to amend section 2.620 of the School Code, relating to the holding of elections by union or joint union districts to determine the question of becoming a part of a union or joint union high school district;

Also: Assembly Bill No. 645—An act to amend section 661 of the Code of Civil Procedure, relating to the judge before whom motions for new trial shall be argued;

Also: Assembly Bill No. 690—An act to amend sections 2934 and 2935 of the Civil Code, relating to the recording of assignments of mortgages, deeds of trust and of subordination agreements.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1246 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 645 and 690 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1235—An act to amend section 3 of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, relating to the arrest and examination of alleged drug addicts;

Also: Assembly Bill No. 1357—An act to amend section 675 of the Code of Civil Procedure, relating to satisfaction of judgments;

Also: Assembly Bill No. 1435—An act to amend section 2185^c of the Political Code, relating to intemperate users of stimulants, and recommitment of intemperate users of narcotics;

Also: Assembly Bill No. 953—An act to repeal article I, embracing sections 3.150 to 3.156, inclusive, of chapter II of part II of division III of the School Code, relating to contracts by governing boards of elementary school districts for the education of children;

Also: Assembly Bill No. 954—An act to amend section 4.320 of the School Code, relating to claims or demands against school districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1235, 1357 and 1435 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 953 and 954 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 704—An act to amend section 4300^f of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts;

Also: Assembly Bill No. 962—An act to amend section 818 of the Penal Code, relating to the issuance of warrants;

Also: Assembly Bill No. 963—An act to amend section 1600 of the Penal Code, relating to the confinement of prisoners by the sheriff;

Also: Assembly Bill No. 1001—An act to amend sections 406 and 410 of the Civil Code, and to add section 406:1 thereto, relating to foreign corporations;

Also: Assembly Bill No. 1003—An act to amend section 411 of the Code of Civil Procedure, relating to service of summons;

Also: Assembly Bill No. 1016—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries or forcible detainer;

Also: Assembly Bill No. 1018—An act authorizing suits against the State to quiet title against it to real property required for highway purposes when deed to the State is recorded in conflict with agreement with State's representatives in the matter of its acquisition;

Also: Assembly Bill No. 1200—An act to repeal section 607^a of the Code of Civil Procedure, relating to instructors in jury trials.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 704, 962, 963, 1001, 1003, 1016, 1018, and 1200 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 701—An act to amend section 6 of chapter 532, Statutes 1917, as amended,

chapter 447, Statutes 1925, entitled "An act for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a Corporation Department and the office of Commissioner of Corporations"—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and re-referred to this committee.

Committee membership—16; committee vote: Ayes—12; absent—4.

CHRISTIAN, Chairman.

SECOND READING OF SENATE BILL NUMBER SEVEN HUNDRED ONE.

Senate Bill No. 701—An act to amend section 6 of chapter 532, Statutes 1917, as amended chapter 447, Statutes 1925, entitled "An act for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a Corporation Department and the office of Commissioner of Corporations."

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 6 of", and insert in lieu thereof the following: "sections 2 to 29, inclusive, of, and to add sections 5, 7a, 8, 9, 13, 19, and 20 to".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "chapter 447, statutes 1925".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, beginning with and including "6", strike out the rest of line 1, all the rest of page 1, and all of page 2, and insert in lieu thereof the following:

"2 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 2. (a) Words used in this act in the present tense include the future as well as the present; words used in the masculine gender include the feminine and neuter; and the neuter, the masculine and feminine; the singular number includes the plural, and the plural, the singular; "writing" includes "printing" and "type-writing"; "oath" includes "affirmation"; the word "county" includes "city and county"; and "territory" includes "district." When used in this act, the following terms shall, unless the context otherwise indicates, have the following respective meanings:

1. The word "division" means the "division of corporations" created by this act.
2. The word "commissioner" means the "commissioner of corporations."
3. The word "company" includes all domestic and foreign private corporations, associations, syndicates, joint stock companies, and partnerships of every kind, trustees as hereinafter defined, and also individuals as hereinafter defined.
4. The word "trust" includes all voluntary trusts, as the same are defined in the Civil Code, expressly created by or declared in an instrument in writing the purpose of which is to carry on any business or to secure the payment or repayment of money, but shall not be deemed to include a trust created or declared under or by virtue of a will or a judicial writ, order, decree, or judgment.
5. The word "trustee" includes only persons or companies executing trusts as hereinbefore defined.
6. The word "individual" in so far as it is included in the definition of a "company," includes only persons selling, offering for sale, negotiating for the sale of or taking subscriptions for any security of their own issue.
7. The word "security" shall include any stock, bond, debenture, evidence of indebtedness, certificate of interest or participation, certificate of interest in a profit-sharing agreement, certificate of interest in an oil, gas or mining title or lease, collateral trust certificate, preorganization certificate, preorganization subscription, any transferable share, investment contract, or beneficial interest in title to property, profits or earnings or any other instrument commonly known as a security.

8. "Sale" or "sell" shall include every disposition, or attempt to dispose, of a security or interest in a security for value. Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing, shall be conclusively presumed to constitute a part of the subject of such purchase and to have been sold for value. "Sale" or "sell" shall also include a contract of sale, an exchange, an attempt to sell, an option of sale, a solicitation of a sale, subscription or an offer to sell, directly or by an agent, or a circular letter, advertisement or otherwise; *provided*, that a privilege pertaining to a security giving the holder the privilege to convert such security into another security of the same company shall not be deemed a sale of such other security within the meaning of this definition; *and provided*, further, that the issue or transfer of a right pertaining to a security and entitling the holder of such right to subscribe to another security of the same company shall not be deemed a sale of such security within the meaning of this definition; but the sale of such other security upon the exercise of such right shall be subject to the provisions of this act.

9. The word "agent" means and includes every person or company employed or appointed by a company or broker or any other person who shall, within this state, either as an employee or otherwise, for a compensation, sell, offer for sale, negotiate for the sale of or take subscriptions for any security.

10. The word "broker" includes every person or company, other than an agent, who shall, in this state, engage either wholly or in part in the business of selling, offering for sale, negotiating for the sale of, or otherwise dealing in any security issued by others, or of underwriting any issue of such securities, or of purchasing such securities with the purpose of reselling them, or of offering them for sale to the public.

11. The word "mortgage" shall be deemed to include a deed of trust to secure a debt, and the word "mortgagee" shall be deemed to include a trustee and/or beneficiary under a deed of trust.

12. The words "investment counsel" as used in this act shall include every person or company other than a broker, who in this state, for compensation, engages in the business of advising others either directly or through publications or writings as to the value of securities or as to the advisability of investing in or purchasing of securities, and every person other than a broker or certified public accountant who issues or promulgates analyses or issues reports concerning securities.

(b) Except as hereinafter otherwise expressly provided, the provisions of this act shall not apply to any of the following classes of securities:

1. Any security issued or guaranteed by the United States of America, or any territory or insular possession thereof, or by the District of Columbia, or by any state, territory, county or municipality or taxing district therein.

2. Any security issued or guaranteed by any foreign government with which the United States of America is at the time of the sale or resale or offer for sale thereof maintaining diplomatic relations, or by any state, province, or political subdivision thereof having the power of taxation or assessment, which security is recognized at the time it is offered or resold in this state as a valid obligation by such foreign government or by such state, province or political subdivision thereof issuing the same.

3. Any security issued by and representing an interest in or a direct obligation of a national bank, or issued by any federal land bank or joint land bank, or a national farm loan association, under the provisions of the federal farm loan act of July 17, 1916, or any amendment thereof or thereto, or by any company created and acting as an instrumentality of the government of the United States of America pursuant to authority granted by the congress of the United States of America, or by any company organized and existing under and by virtue of any act of congress.

4. Any security issued by and representing an interest in or a direct obligation of a state bank, trust company or savings institution incorporated under the laws of this state.

5. Any security the issuance of which has been authorized by the railroad commission of this state or by the interstate commerce commission.

6. Any security issued by a company organized for the purpose of conducting a building and loan association within this state subject to the supervision of the building and loan commissioner.

7. Any security issued by a company organized for the purpose of transacting an insurance business within this state subject to the jurisdiction of the insurance commissioner.

8. Any security (except notes, bonds, debentures, or other evidences of indebtedness) issued by a company organized under the laws of this state exclusively for educational, benevolent, fraternal, charitable or reformatory purposes and not for pecuniary profit and no part of the earnings of which inures to the benefit of any private stockholder or individual.

9. Any security which has been certified as a legal investment for savings banks and trust companies under the laws of this state.

10. Bills of exchange, trade acceptances, promissory notes and other commercial paper issued, given or acquired in a bona fide way in the ordinary course of legitimate business, trade or commerce.

11. Promissory notes, whether secured or unsecured, where the notes are not offered to the public, or are not sold to underwriter for the purpose of resale.

(c) Except as hereinafter expressly provided, the provisions of this act shall not apply to the sale of any security in any of the following transactions:

1. At any judicial, executor's, administrator's or guardian's sale, or at any sale by a receiver or trustee in insolvency or bankruptcy.

2. By or for the account of a pledgee or mortgagee selling or offering for sale or delivery in the ordinary course of business, to liquidate a bona fide debt, a security pledged in good faith as security for such debt.

3. The sale of securities when made by or on behalf of a vendor not the issuer or underwriter thereof who, being a bona fide owner of such securities, disposes of his own property for his own account, and such sale is not made, directly or indirectly, for the benefit of the issuer or an underwriter of such security, or for the direct or indirect promotion of any scheme or enterprise or for the purpose of violating or evading any provision of this act.

SEC. 2. Section 3 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 3. No company shall sell any security, except upon a sale for a delinquent assessment against such security made in accordance with the laws of this state, or offer for sale, negotiate for the sale of, or take subscriptions for any security of its own issue until it shall have first applied for and secured from the commissioner a permit authorizing it so to do. Such application shall be in writing, shall be verified as provided in the Code of Civil Procedure for the verification of pleadings, and shall be filed in the office of the commissioner. In such application the applicant shall set forth the following:

(a) The names, residences and post office addresses of its officers.
(b) The location of its principal office.
(c) An itemized account of its financial condition, the amount and character of its assets and liabilities.

(d) A detailed statement of the plan upon which it proposes to transact business.

(e) A copy of any security it proposes to issue.

(f) A copy of any contract it proposes to make concerning such security.

(g) A copy of any prospectus or advertisement or other description of such security prepared by or for it for distribution or publication.

(h) A copy of its articles of incorporation or partnership or association, as the case may be, and of any amendments thereto, and all other papers pertaining to its organization.

(i) The date upon which it proposes to commence to sell its securities.

(j) The number, kind and amount of securities it proposes to sell.

(k) The par or face value, if any, and the price at which it proposes to sell its securities.

(l) The commission or compensation to be paid for the sale of its securities.

(m) If a trustee, a copy of all instruments by which the trust is created and in which it is accepted, acknowledged or declared.

(n) If a corporation, a copy of all minutes of any proceeding of its directors, stockholders or members relating to or affecting the issue of said security.

(o) If a corporation, a copy of its by-laws and of any amendments thereto.

(p) If a corporation or association organized under the laws of any other state, territory or government, a certificate executed by the proper officer of said state, territory or government more than thirty days before the filing of such application, showing that it is authorized to transact business in said state, territory or government, and also in such form as the commissioner may prescribe, its written instrument irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it may be served with the same effect as if such corporation or association were organized or created under the laws of this state and had been lawfully served with process therein.

(q) Such additional information concerning the company, its condition and affairs, as the commissioner may require.

SEC. 3. Section 4 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 4. Upon the filing of such application, it shall be the duty of the commissioner to examine it and the other papers and documents filed therewith, and he may, if he deems it advisable, make or have made a detailed examination, audit, and investigation of the applicant and its affairs. If he finds that the proposed plan of business of the applicant is not unfair, unjust, or inequitable, that it intends to fairly and honestly transact its business, and that the securities that it proposes to issue and the methods to be used by it in issuing or disposing of them are not such as, in his opinion, will work a fraud upon the purchaser thereof, the commissioner shall issue to the applicant a permit authorizing it to issue and dispose of securities, as therein provided, in this state, in such amounts and for such considerations and upon such terms and conditions as the commissioner may in said permit provide. Otherwise, he shall deny the application and refuse such permit and notify the applicant in writing of his decision. Every permit shall recite in bold type that the issuance thereof is permissive only and does not constitute a recommendation

or endorsement of the securities permitted to be issued. The commissioner may impose conditions requiring the deposit in escrow of securities, the impoundment of the proceeds from the sale thereof, limiting the expense in connection with the sale thereof and such other conditions as he may deem reasonable and necessary or advisable to insure the disposition of the proceeds of such securities in the manner and for the purposes provided in such permit. He may, from time to time, amend, alter or revoke any permit issued by him, or temporarily suspend the rights of the applicant under such permit.

SEC. 4. Section 5 is hereby added to the act cited in the title hereof, to read as follows:

SEC. 5. The commissioner, whenever in his opinion the further sale of any securities by any company would be unfair, unjust or inequitable to the purchasers thereof, may order any company to desist and to refrain from the further sale of its securities.

He shall have the power to establish such rules and regulations as may be reasonable or necessary to carry out the purposes and provisions of this act.

SEC. 5. Section 6 of the act cited in the title hereof, is hereby amended to read as follows:

SEC. 6. No person or company shall act as an agent or broker until such person or company shall have first applied for and secured from the commissioner a certificate, then in effect, authorizing such person or company so to do. Every such certificate shall expire on the thirty-first day of December next after its issuance, unless sooner suspended or revoked. To secure such certificate, the applicant shall make and file in the office of the commissioner an application therefor in writing, verified by or in behalf of the applicant. In such application, the applicant shall set forth, in addition to such other information as may be required by the commissioner:

1. The name and address of the applicant, and if it be a corporation, association, or joint stock company, the name and address of each of its managing officers and agents; and, if it be a partnership, the name and address of each of the partners;

2. A succinct statement of facts showing that the applicant, and its managing officers and agents, if it be a corporation, or members, if it be a partnership, have a **good business reputation**;

3. If the applicant is a broker, the general plan and character of the business of the applicant.

At the time of filing an application for a broker's certificate, the applicant shall file with the commissioner of corporations a good and sufficient bond for twenty-five thousand dollars, payable to the people of the State of California, for the use and benefit of any interested person, executed by said applicant and by sufficient surety or sureties, and to be approved by the commissioner of corporations. Said bond shall be conditioned upon the strict compliance with the provisions of this act, the faithful performance of all the terms and conditions of any installment purchase contracts set forth in this act, the honest and faithful application of all funds received and the faithful and honest performance of all obligations and undertakings in the purchase or sale of securities, by said broker, his agents and employees. Said bond shall be further conditioned upon the payment of all damages suffered by any person damaged or defrauded by reason of the violation of any of the provisions of this act, or by reason of any fraud connected with or growing out of any transaction contemplated by the provisions of this act. Any person who sustains an injury covered by such bond, may in addition to any other remedy that he may have, bring an action in his own name upon said bond for the recovery of any damages sustained by him. Upon such action being commenced the commissioner of corporations may in his discretion, require the filing of a new bond, and immediately upon the recovery in any action on such bond, such broker shall file a new bond, and upon failure to file the same within ten days in either case such failure shall constitute sufficient grounds for the suspension or revocation of such broker's certificate.

For filing such application, the applicant shall pay a fee as hereinafter provided. If the applicant is a corporation or association organized under the laws of any other state, territory, or government, it shall file with its application a copy of its articles of incorporation or association, together with a certificate executed by the proper office of such state, territory, or government not more than thirty days before the filing of such application, showing that such applicant is authorized to transact business in such state, territory, or government, and also in such form as the commissioner may prescribe, its written instrument, irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it, arising out of or founded upon the fraud of such applicant in the sale of securities within this state, or in any action upon any bond provided by this section, may be served, with the same effect as if said corporation or association were organized or created under the laws of this state and had been lawfully served with process therein.

SEC. 6. Section 7 of the act cited in the title hereof, is hereby amended to read as follows:

SEC. 7. The commissioner shall examine such application, and shall make such further investigation of the applicant and its affairs as he shall deem advisable. If, from such examination, the commissioner shall be satisfied:

(a) That the applicant and its officers or members, if any, are of good business reputation;

(b) That the applicant has sufficient financial responsibility to carry out the obligations incident to its operations as such broker or agent;

(c) That the sale of the securities proposed to be sold by it would not be unfair, unjust or inequitable to the purchasers thereof;

(d) That neither it nor its officers or members have violated any of the provisions of this act or of chapter 226 of the statutes of 1923; and

(e) That neither it nor its officers or members have engaged or are about to engage in any fraudulent transaction,

he shall issue such certificate. Otherwise, he shall refuse the same and deny the application and notify the applicant of his decision; *provided, however*, that if the only ground for such denial falls under subdivision (d) or (e) of this section the commissioner may, in his discretion, waive such ground for denial and issue a certificate to the applicant. The commissioner may at any time temporarily suspend any broker's or agent's license issued by him if he has reason to suspect the existence of any of the grounds, hereinabove enumerated, for the denial of an application for a broker's or agent's license. If, at the expiration of sixty days from the date of such suspension, the license so suspended has not expired or has not been revoked, as hereinafter provided, it shall be deemed reinstated. The commissioner must revoke any broker's or agent's certificate, if, after hearing upon notice, he shall find the existence of any of the grounds, hereinabove enumerated, for the denial of an application for a broker's or agent's license; *provided, however*, that such revocation shall be discretionary with the commissioner if the only ground for such revocation falls under subdivision (d) or (e) of this section.

SEC. 7. Section 7a is hereby added to the act cited in the title hereof, to read as follows:

Sec. 7a. Every installment purchase contract involving the sale of a security proposed to be used by any broker shall first be submitted to and approved by the commissioner, and shall contain clauses specifying:

(a) The time within which the purchase of such security is to be made by such broker.

(b) The place of deposit of such security.

(c) The time within which delivery of such security shall be made, after such deposit.

(d) The conditions under which calls for additional margin may be made.

(e) Any other provision which the commissioner may deem necessary for the protection of the parties to the purchase of such security.

SEC. 8. Section 8 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 8. No person or company, other than a broker, shall act as an investment counsel until such person or company shall have first applied for and secured from the commissioner a certificate then in effect authorizing such person or company so to do. Every such certificate shall expire on the thirty-first day of December next after its issuance unless sooner suspended or revoked.

To secure such certificate, the applicant shall make and file in the office of the commissioner an application therefor in writing, verified by or in behalf of the applicant. In such application, the applicant shall set forth, in addition to such other information as may be required by the commissioner,

(a) The name, residence and post office address of the applicant;

(b) If a corporation, association, joint stock company, or partnership, the name, residence and post office address of each of its managing officers, agents or partners, as the case may be;

(c) A succinct statement of facts showing that the applicant and each of its managing officers and agents or partners, as the case may be, is of good business repute and the experience and education, if any, which would qualify him to act as an investment counsel; and

(d) The general plan, character and method in which applicant proposes to conduct its business.

If the applicant is a corporation or an association organized under the laws of any other state, territory or government, it shall file with its application a copy of its articles of incorporation or association, together with a certificate executed by the proper officer of such state, territory or government, not more than thirty days before the filing of such application, showing that such applicant is authorized to transact business in said state, territory or government, and also in such form as the commissioner may prescribe its written instrument irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it, arising out of or founded upon the fraud of such applicant in the conduct of its business as investment counsel, may be served with the same effect as if said corporation or association were organized or created under the laws of this state and had been lawfully served with process therein.

The commissioner shall examine such application for an investment counsel's certificate and shall make such further investigation of the applicant and its

affairs as he shall deem advisable. If from such examination the commissioner shall be satisfied:

(a) That the applicant and its officers, directors and members, if any, are of good business repute and in the opinion of the commissioner qualified by experience and education to conduct an investment counsel business;

(b) That neither the applicant nor its officers, directors or members, if any, have violated any of the provisions of this act or of chapter 226 of the statutes of 1923; and

(c) That neither the applicant nor its officers, directors or members, if any, have engaged or are about to engage in any fraudulent transaction, he shall issue such certificate. Otherwise, he shall deny the application and notify the applicant of his decision; *provided, however*, that if the only ground for such denial falls under subdivision (b) or (c) of this section, the commissioner may, in his discretion, waive such ground for denial and issue a certificate to the applicant.

The commissioner may at any time temporarily suspend any investment counsel's certificate issued by him if he has reason to suspect the existence of any of the grounds, hereinabove enumerated, for the denial of an application for an investment counsel's certificate. If, at the expiration of sixty days from the date of such suspension, the certificate so suspended has not expired or has not been revoked, as hereinafter provided, it shall be deemed reinstated. The commissioner must revoke any investment counsel's certificate, if, after hearing upon notice, he shall find the existence of any of the grounds, hereinabove enumerated, for the denial of an application for an investment counsel's certificate; *provided, however*, that such revocation shall be discretionary with the commissioner if the only ground for such revocation falls under subdivision (b) or (c) of this section.

SEC. 9. Section 9 of the act cited in the title hereof, is hereby added to read as follows:

Sec. 9. Any company which holds a permit from the commissioner authorizing the payment of a commission upon the sale of its securities, and which proposes to sell such securities through agents licensed under such permit, shall first file with the commissioner of corporations a good and sufficient bond for five thousand dollars, payable to the people of the State of California for the use and benefit of any interested person, executed by said applicant and by sufficient surety or sureties, and to be approved by the commissioner of corporations. Said bond shall be conditioned upon the strict compliance with the provisions of this act and of said permit, and the faithful and honest performance of all obligations and undertakings in the sale of said securities by said company, its agents and employees. Said bond shall be further conditioned upon the payment of all damages suffered by any person damaged or defrauded by reason of the violation of any of the provisions of this act or by reason of any fraud connected with or growing out of the sale of any of such securities. Any person who sustains an injury covered by such bond, may, in addition to any other remedy that he may have, bring an action in his own name upon said bond for the recovery of any damages sustained by him. Upon such action being commenced the commissioner of corporations may, in his discretion, require the filing of a new bond, and immediately upon the recovery in any action on such bond, such company shall file a new bond, and upon failure to file the same within ten days in either case such failure shall constitute sufficient grounds for the suspension or revocation of such company's permit or permits.

SEC. 10. Section 10 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 10. No person, partnership, association or corporation, shall issue, circulate, or publish any advertisement, pamphlet, prospectus, or circular, either written or printed or oral, by mail, telegraph, radio or otherwise, concerning any security, offered, issued or sold by any company, that such person, partnership, association, or corporation desires or proposes to sell, until the company proposing to issue such security shall have first secured from the commissioner a permit authorizing it to issue or sell such security; nor shall any company, broker, or agent, or any other person, issue, circulate, or publish any advertisement, pamphlet, prospectus, or circular concerning any security sold or offered for sale by it, unless the name of the company together with the name of the president, a vice president or secretary of such company, or the broker, agent, or person issuing, circulating, or publishing the same shall be subscribed thereto, and a true copy thereof shall have been first filed in the office of the commissioner at least one day prior thereto; *provided, however*, that the filing of a copy of such advertisement, pamphlet, prospectus or circular, as herein provided, shall not be required in any case in which the commissioner shall have authorized or consented to the issuance, circulation or publication thereof; nor shall any company, broker or agent, or any other person, issue, circulate, or publish any such advertisement, pamphlet, prospectus, or circular after notice in writing given to it by the commissioner that, in his opinion, the same contains any statement that is false or misleading or otherwise likely to deceive a reader thereof.

SEC. 11. Section 11 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 11. Every company authorized by the commissioner to sell securities shall at all times keep and maintain a complete set of books, records and accounts, and shall thereafter, at such times as it may be required by the commissioner, make and file in the office of the commissioner a report, setting forth, in such form as the commissioner may prescribe, the securities sold by it under the authority of any permit issued by him, the proceeds derived therefrom, the disposition of such proceeds, and such other information concerning its property, officers, or affairs, relating to or affecting the value of such securities, as the commissioner may require.

SEC. 12. Section 12 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 12. Every broker shall, at such times as it may be required by the commissioner, make and file in the office of the commissioner a true and correct statement in such form and containing such data as the commissioner may require of the business of such broker.

SEC. 13. Section 13 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 13. No broker shall sell or offer for sale any security as a part of or connected with its brokerage business after notice in writing given to it by the commissioner that in his opinion the sale thereof or the manner or method of sale thereof would be or is unfair, unjust or inequitable to the purchaser thereof, unless the commissioner shall subsequently in writing withdraw such objection to the sale thereof.

SEC. 14. Section 14 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 14. All papers, documents, reports, and other instruments in writing filed with the commissioner under this act shall be open to public inspection; *provided*, that if, in his judgment, the public welfare or the welfare of any company, broker, or agent demands that any portion of such information be not made public, he may, in his discretion, withhold such information from public inspection for such time as in his judgment is necessary. The commissioner may at any time give, issue, or make public any information concerning any company or any contracts, stocks, bonds, or other securities sold or offered for sale within this state, if in his judgment the giving, issuing, or publishing of the same will be of public interest or advantage or will tend to prevent the fraudulent sale of such securities.

SEC. 15. Section 15 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 15. Every order, decision, permit or other official act of the commissioner shall be subject to review, in accordance with the provisions of chapter one of title one of part three of the Code of Civil Procedure. Upon such review, the burden of proof shall lie upon the appellant, and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the commissioner under review, but shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the commissioner in making such order, decision, or permit, or other official act.

SEC. 16. Section 16 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 16. Every security issued by any company, without a permit of the commissioner authorizing the same then in effect, shall be void, and every security issued by any company, with the authorization of the commissioner but not in conformity with such authorization shall be voidable at the election of the holder thereof and all contracts, whether executed or executory, for the purchase thereof shall be voidable at the election of the purchaser thereunder, unless prior to such election the commissioner shall issue a permit authorizing the issuance of such security as of the date and in the manner of its actual issuance.

SEC. 17. Section 17 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 17. Every company which shall directly or indirectly offer for sale, or negotiate for the sale of or sell, or issue, or cause to be issued any security contrary to the provisions of this act, or of the constitution of this state, or in nonconformity with a permit of the commissioner authorizing the same, or which applies the proceeds from the sale thereof, or any part thereof, to any purpose other than the purpose or purposes, if any, specified in such permit, or to any purpose specified in such permit in excess of any amount limited in such permit to be used for such purpose, shall be guilty of a public offense and shall be punishable by a fine not exceeding ten thousand dollars.

SEC. 18. Section 18 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 18. Every officer, agent, or employee of any company and every other person, who knowingly authorizes, directs, or aids in the issue or sale of, or issues or executes, or sells, or causes or assists in causing to be issued, executed, or sold, any security, in nonconformity with a permit of the commissioner then in effect authorizing such issue, or contrary to the provisions of this act, or of the constitution of this state, or who, in any application to the commissioner, or in any proceeding before him,

or in an examination, audit, or investigation made by him or his authority, knowingly makes any false statement or representation, or who, with knowledge of its falsity, files or causes to be filed in the office of the commissioner any false statement or representation concerning such company or the property which it then holds or proposes to acquire, or concerning its officers or its financial condition or other affairs, or concerning its proposed plan of business, or who, with knowledge of the falsity of any such statement or representation, issues, executes, or sells, or causes to be issued, executed, or sold, any security, without first informing the commissioner of the falsity of such statement in writing, or who, directly or indirectly, knowingly applies, or causes or assists in causing to be applied, the proceeds, or any part thereof, from the sale of any security to any purpose contrary to the provisions of the permit authorizing the issue of such security, or to any purpose specified in such permit in excess of any amount limited in such permit to be issued for such purpose, or who, with knowledge that any security has been issued or executed, in violation of any of the provisions of this act, sells, or offers the same for sale, or who, with knowledge that any advertisement, pamphlet, prospectus, or circular concerning any security contains any statement that is false or misleading, or otherwise likely to deceive a reader thereof, issues, circulates, or publishes the same, or shall cause the same to be issued, circulated, or published, or who, in any respect, wilfully violates or fails to comply with any of the provisions of this act, or who, in any other respect, wilfully violates or fails, omits, or neglects to obey, observe, or comply with any order, permit, decision, demand, or requirement, or any part or provision thereof, of the commissioner under the provisions of this act, or who with one or more other persons conspires to violate any permit or order issued by the commissioner or any of the provisions of this act, is guilty of a public offense and shall be punished by imprisonment in the state prison not exceeding five years, or in a county jail not exceeding two years, or by a fine not exceeding five thousand dollars, or by both such fine and imprisonment.

SEC. 19. Section 19 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 19. Whenever the commissioner shall believe from evidence satisfactory to him that any person, partnership, corporation or company has violated or is about to violate any of the provisions of this act, or any order, permit, decision, or requirement, or any part or provision thereof, he may bring an action in the name of the people of the State of California in the superior court of the State of California against such person, partnership, corporation or company to enjoin such person, partnership, corporation or company from continuing such violation or engaging therein or doing any act or acts in furtherance thereof. In said action an order or judgment may be entered awarding such preliminary or final injunction as may be proper.

SEC. 20. Section 20 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 20. Whenever, after an examination, investigation or hearing under this act, the commissioner deems it of public interest or advantage, he may certify a record to the district attorney of the county in which the act or acts complained of, examined or investigated occurred. The district attorney of such county within ninety days after receipt of such record shall file a written statement at the Sacramento office of the commissioner, which said statement shall set forth the action taken upon such record, or if no action has been taken upon such record that fact must be stated.

SEC. 21. Section 21 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 21. There is hereby created the division of corporations. The chief officer of such division shall be the commissioner of corporations. He shall be appointed by the governor and hold office at the pleasure of the governor. He shall receive an annual salary of seven thousand five hundred dollars, to be paid monthly out of the state treasury upon a warrant of the controller. He shall within fifteen days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state and execute to the people of the state a bond in the penal sum of ten thousand dollars with corporate security or two or more sureties, to be approved by the governor of the state, for the faithful discharge of the duties of his office.

SEC. 22. Section 22 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 22. The commissioner shall employ such assistants, clerks and deputies as he may need to discharge in proper manner the duties imposed upon him by law, including stenographic reporters to take and transcribe the testimony in any formal hearing or investigation before the commissioner or authorized by him. The commissioner may employ counsel to render opinions upon all questions of law, relating to the construction or interpretation of this act or arising in the administration thereof, and to represent the commissioner in all actions and proceedings brought by or against him under or pursuant to any of the provisions of this act. The compensation of such counsel shall be subject to the approval of the department of finance. Neither the commissioner nor any of his assistants, clerks or deputies shall be interested in any company which shall have applied for or secured a permit to sell securities, or in any broker, or agent as a director, stockholder, officer, member,

agent, or employee. Such assistants, clerks and deputies shall perform such duties as the commissioner shall assign to them. He shall fix the compensation of such assistants, clerks and deputies, which compensation shall be paid monthly, on the certificate of the commissioner and on the warrant of the controller, out of the state treasury. Each assistant and deputy shall, within fifteen days after his appointment, take and subscribe to the constitutional oath of office, and file the same in the office of the secretary of state.

SEC. 23. Section 23 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 23. The commissioner shall at all times have the power to administer oaths and to make an examination or investigation of the books, records, accounts and other papers, and of the business of any company, broker, investment counsel or agent theretofore permitted or authorized by him to sell securities, or to act as an investment counsel, or to make dividends, to create debts, to divide, withdraw, or pay to the stockholders or any of them, any part of its capital stock, or to increase or reduce its capital stock; or of any company, broker, agent or investment counsel, or any other person who the commissioner has reason to believe has violated or is about to violate any of the provisions of this act. In making any such examination or investigation the commissioner may, for a reasonable time, take possession of and remove to his office the books, records, accounts and other papers of any company, broker, agent, or investment counsel. Such power shall not be terminated by the suspension or revocation of any permit, order or certificate theretofore issued by him. In any examination, audit or investigation made or hearing conducted by him, he shall have the power to take the testimony of any witness and to issue subpoenas, requiring the attendance upon such examination, audit, investigation or hearing in any part of the state of witnesses, and the production of books, documents, and other things under their control, and in any such case to take or cause to be taken the deposition of any witness residing within or without this state, the commissioner may pay out of the revolving fund to any witness subpoenaed by him the necessary and reasonable traveling expenses of such witness from his place of residence to the place of hearing or investigation and return and a per diem of two dollars for each day that such witness is in attendance at or en route to and from such place of hearing or investigation in obedience to such subpoena.

All of the provisions of chapter 2 of title three of part four of the Code of Civil Procedure, relating to the means of production of evidence out of court, shall be applicable to any examination, investigation, or hearing under this act. No person shall be excused from testifying or from producing any book, document, or other thing under his control upon any such examination, audit, investigation, or hearing upon the ground that his testimony, or the book, document or other thing required of him, may tend to incriminate him, or may have a tendency to subject him to punishment for a felony, or to a penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter, or thing concerning which he shall have been so compelled to testify under oath; *provided*, that no person so testifying shall be exempt from prosecution or punishment for perjury if committed by him in his testimony. The authority to make or conduct any such examination, audit, investigation or hearing, including the authority to administer oaths, and to subpoena witnesses and take their testimony, may be delegated by the commissioner to any deputy or examiner appointed by him for that purpose. Such appointment shall be made by an instrument in writing, signed by the commissioner under his official seal, and upon such examination, audit, investigation or hearing, the same shall be produced by such deputy or examiner at any time upon demand therefor.

SEC. 24. Section 24 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 24. In any action or proceeding commenced or prosecuted in this state against any corporation or association which shall have appointed the commissioner its attorney, as provided in section 3 of this act, and in any action or proceeding commenced or prosecuted in this state, arising out of or founded upon the fraud of any corporation or association which shall have appointed the commissioner its attorney, as provided in section 5 of this act, service of process may be made upon the commissioner. In any such case, the commissioner shall forthwith forward by mail, postage prepaid, to the person designated by such corporation or association by an instrument in writing duly executed by it and filed with the commissioner, at the address stated in such instrument, or, if no such designation has been made, to the secretary of such corporation or association at its last known post-office address, a copy of such process; whereupon, and upon the payment of the fee herein provided for, service of such process upon such company shall be deemed to be complete and to be personal service upon such corporation or association, with the same effect as if said corporation or association were organized or incorporated under the laws of this state and had been lawfully served with process therein. The certificate of the commissioner, under his official seal, of such service, shall be competent and sufficient proof thereof.

SEC. 25. Section 25 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 25. The commissioner shall have his principal office in the city of Sacramento, and may establish branch offices in the city and county of San Francisco,

in the city of Los Angeles, and in the city of San Diego, and he shall from time to time obtain the necessary furniture, stationery, fuel, light, and other proper conveniences for the transaction of the business of the department; the expenses of which shall be paid out of the state treasury on the certificate of the commissioner and the warrant of the controller.

Sec. 26. Section 26 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 26. The commissioner shall charge and collect the following fees:

1. For filing an original or supplemental application for a permit to issue securities, ten dollars, plus-----;

- (One-twentieth of one per cent of the amount of any excess of the aggregate value of the securities sought to be issued over twenty thousand dollars and not exceeding fifty thousand dollars;

- (One-twentieth of one per cent of such amount in excess of fifty thousand dollars and not exceeding one hundred thousand dollars;

- (One-fiftieth of one per cent of such amount in excess of one hundred thousand dollars and not exceeding five hundred thousand dollars; and

- (One one-hundredth of one per cent of such amount in excess of five hundred thousand dollars.

For the purpose of determining the above fees:

- (a) The value of such securities shall be deemed to be their par or face value unless the consideration for such securities is in excess of such par or face value, in which case the value will be deemed to be the amount of the consideration so received.

- (b) Where the securities proposed to be issued have no nominal or par value, the value of such securities shall be deemed to be the price at which the company proposes to sell or issue the same, or the value, as alleged in the application, of the consideration (if other than money) to be received in exchange therefor; *provided, however*, until a new value shall have been established, that each share of no par value stock proposed to be issued shall be deemed to have a value equal to the value which has been established by previous sales for money or other property of other shares of the same class.

- (c) Interim or voting trust certificates shall be deemed to have a value equal to the aggregate value of the securities to be represented by said interim or voting trust certificates.

- (d) Rights, warrants or other certificates evidencing stockholders' rights to purchase additional securities shall be deemed to have a value equal to the difference between the selling price of the securities represented by such rights, warrants or other certificates and the market value of the securities so represented at the date of filing of application.

- (e) Where an application is made to issue securities containing a provision entitling the holder or holders thereof to convert or exchange the same for a different class of securities, the value of the securities to be so issued shall be deemed to be an amount equal to twice the amount of the consideration to be received for the securities containing the conversion or exchange provision.

2. For filing any application for a permit or other authority to make dividends, create debts, or to divide, withdraw, increase, reduce or pay to the stockholders, or any of them, the capital stock, or any part thereof, the same amount that would otherwise be chargeable or collectible if such application were for a permit to issue securities; *provided*, that in any such case the value shall be determined by the amount of dividends made, debts created, or capital stock divided, withdrawn, increased, reduced, or paid.

3. For filing any application for a broker's or an investment counsel's certificate, twenty-five dollars.

4. For filing any application for an agent's certificate, five dollars.

5. For any examination, audit, or investigation, ten dollars per day or fraction thereof, if made by the commissioner, or the actual amount of the salary or other compensation, not exceeding ten dollars per day, paid to any deputy or other employee of the commissioner, if made by a deputy or other employee, for each day or fraction thereof that such commissioner, deputy, or other employee shall necessarily be absent from his office for the purpose of making such examination, audit, or investigation, plus the actual amount of expenses reasonably incurred in the performance of such work.

6. For copies of papers and records not required to be certified or otherwise authenticated by the commissioner, ten cents for each folio.

7. For certified copies of official documents, orders and other papers filed in his office; for making and mailing copies of process served upon him under the provisions of section 18 of this act, and for transcript on appeal, fifteen cents for each folio and one dollar for each certificate under seal affixed thereto.

8. For certificate of service and mailing of process served upon the commissioner under the provisions of section 18 of this act, two dollars.

9. For filing any application for an amendment to an existing permit to issue securities, or for a permit to negotiate for the sale of securities, ten dollars.

No fees shall be charged or collected for copies of papers, records, or official documents furnished to public officers for use in their official capacity or for the reports

of the commissioner in the ordinary course of distribution; but the commissioner may fix a reasonable charge for the publications issued under his authority.

All fees charged and collected under this section shall be paid at least once each week, accompanied by a detailed statement thereof, into the treasury of the state to the credit of a fund to be known as the "corporation commission fund," which fund is hereby created.

SEC. 27. Section 27 of the act cited in the title hereof, is hereby amended to read as follows:

SEC. 27. The commissioner shall have power, whenever any application is made to him for permission to issue securities, which securities are proposed to be secured by a lien upon real or personal property, or exchanged for or issued in consideration of real or personal property, to accept and act upon the opinions, appraisements and reports of any engineers or appraisers which may be presented by the applicant so applying for permission on any question of fact concerning or affecting the securities proposed to be issued. In lieu of, or in addition to such opinions, appraisements and reports, the commissioner, if he deems it proper, may have any or all of matters concerning or affecting such securities investigated, appraised, passed upon and certified to him by engineers, or appraisers employed by him at the expense of the applicant. The actual expense of such investigation or appraisal shall be paid by the applicant, and the commissioner, before making or causing such investigation or appraisal to be made, may require a cash deposit of such amount as he may deem necessary to cover such expense. The cash so deposited under this section shall be paid at least once each week, accompanied by a detailed statement thereof, into the treasury of the state to the credit of a fund to be known as the "corporation commission appraisal fund," which fund is hereby created. All investigations or appraisements required by the commissioner to be made pursuant to this section shall be paid out of said fund, and any amount remaining of the deposit made pursuant to this section by any applicant after the payment of all expenses or investigations or appraisements made in connection with the application of such applicant shall be repaid to such applicant. All moneys which shall be paid into the state treasury and credited to the "corporation commission appraisal fund" are hereby appropriated to be used by the commissioner in carrying out the provisions of this section; and the controller shall draw his warrant on said fund from time to time in favor of the commissioner for the amounts expended under his direction, and the treasury shall pay the same.

SEC. 28. Section 28 of the act cited in the title hereof, is hereby amended to read as follows:

SEC. 28. All moneys which shall be paid into the state treasury and credited to the "corporation commission fund" are hereby appropriated to be used by the commissioner in carrying out the provisions of this act; and the controller shall draw his warrant on said fund from time to time in favor of the commissioner for the amounts expended under his direction, and the treasurer shall pay the same. The commissioner may, with the consent of the board of control, withdraw from said fund a sum not exceeding two thousand five hundred dollars, to be used as a revolving fund where cash advances are necessary. The commissioner must account for the sum withdrawn for said revolving fund at any time upon demand of the board of control.

SEC. 29. Section 29 of the act cited in the title hereof, is hereby amended to read as follows:

SEC. 29. The commissioner shall adopt a seal bearing the following inscription: "commissioner of corporations State of California." The seal shall be affixed to all writs, orders, permits, and certificates issued by him, and to such other instruments as he shall direct. All courts shall take judicial notice of said seal.

SEC. 30. Section 30 of the act cited in the title hereof, is hereby amended to read as follows:

SEC. 30. The commissioner may execute in duplicate any order, finding, or permit issued by him, and each of such parts shall be deemed to be an original. An original of every such order, finding, or permit shall be retained and preserved by him in his office. Copies of all documents, orders, and permits made, executed, or issued by the commissioner, and of all papers filed in his office, when certified by the commissioner under his official seal, shall be received in evidence in all cases in like manner and with the same effect as the originals. Any order or permit issued by the commissioner, or a copy thereof certified by the commissioner under his official seal, to be a true copy of the original order or permit, may be recorded in the office of the county recorder of the county in which is located the principal place of business of the company affected thereby or in which is situated any property of such company, and such record shall impart notice of such order or permit, and of all its provisions, to all persons. A certificate under the seal of the commissioner that any such order or permit has not been amended, altered, revoked, or suspended may also be recorded in the same offices and with like effect.

SEC. 31. Section 31 of the act cited in the title hereof, is hereby amended to read as follows:

SEC. 31. Every official report made by the commissioner, and every report, duly verified, made to him by any deputy, clerk, or other person employed by him, of any examination, audit, or investigation made by him or under his direction, and copies of such reports, certified by the commissioner, shall be prima facie evidence of the

facts therein stated for all purposes in any action or proceeding wherein any company, broker, agent, or the commissioner is a party.

SEC. 32. Section 32 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 32. The commissioner may, after four years from date of filing and with the approval of the board of control, destroy all applications, permits and certificates, together with the files and folders, as the same have become useless or obsolete.

SEC. 33. Section 33 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 33. Neither this act nor any provision hereof shall be deemed to prohibit subscriptions for shares of a domestic corporation made prior to the incorporation thereof and set forth in the articles of incorporation; but such subscription shall be deemed to have been made and accepted upon the condition that such corporation shall be incorporated within ninety days thereafter, and, when incorporated, shall with reasonable diligence apply for and secure from the commissioner a permit authorizing the issue of the shares so subscribed for, in accordance with such subscriptions; *provided, however*, that except as may be specifically required by any law of this state, nothing herein contained shall be construed as permitting the collection of any portion of the consideration to be paid on account of such subscriptions, unless and until a permit shall have been issued by the commissioner authorizing such collection; nor except as may be specifically required by any law of this state, nothing herein contained shall be construed as permitting the taking of subscriptions for any security of any company other than a domestic corporation or to make collection of any portion of the consideration to be paid on account of subscriptions unless and until a permit shall have been issued by the commissioner authorizing the taking of such subscriptions or the collection thereof. The directors or trustees named in the articles of incorporation may, prior to the issue of any shares, organize by the election of a president, a secretary and a treasurer; and such directors, or a majority of them or such president and secretary may, in the name of and in behalf of the corporation, present an application to the commissioner as herein provided.

SEC. 34. Section 34 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 34. All decisions, orders, rules, findings, certificates, or permits heretofore made or issued, and acts done by the commissioner, shall continue in force and have the same effect as if they had been lawfully made, issued, or done under the provisions of this act.

This act shall not affect any appeal pending from any decision of the commissioner, or any proceeding to which he, in his official capacity, is a party; but the same may be prosecuted or defended with the same effect as if this act had not been passed. Any examination, audit, or investigation undertaken, commenced, or prosecuted prior to the taking effect of this act may be conducted to a final determination in the same manner and with the same effect as if it had been undertaken, commenced, or prosecuted under the provisions of this act, and in the manner herein provided. No action or proceeding, either civil or criminal, or cause of action arising under any law of this state shall abate by reason of the passage of this act, but actions or proceedings may be commenced and prosecuted upon such causes in the same manner and with the same effect as if this act had not been passed.

SEC. 35. Section 35 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 35. Neither this act nor any provision hereof shall apply to or be construed as a regulation of commerce with foreign nations or among the several states, except in so far as the same may be permitted under the provisions of the constitution and the acts of the congress of the United States.

SEC. 36. Section 36 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 36. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SEC. 37. Section 37 of the act cited in the title hereof, is hereby amended to read as follows:

Sec. 37. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Breed, the Secretary was directed to issue a rush order for printing Senate Bill No. 701.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 153—An act validating the formation, organization and existence of sanitary districts;

Also: Senate Bill No. 155—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 156—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class;

Also: Senate Bill No. 59—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents;

Also: Senate Bill No. 33—An act to amend section 1789 of the Code of Civil Procedure, relating to notice of certain sales of property under administration;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—12; absent—4.

CHRISTIAN, Chairman.

Senate Bills Nos. 153, 155, 156, 59 and 33 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 166—An act to amend sections 3197 and 3198 of the Political Code, relating to trade-marks;

Also: Assembly Bill No. 167—An act to amend section 991 of the Civil Code, relating to trade-marks;

Also: Assembly Bill No. 311—An act to add a new section to part II, title Xa, chapter 2 of the Code of Civil Procedure, to be known as section 831j, relating to the force and effect of proceedings and judgments of municipal courts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—12.

CHRISTIAN, Chairman.

Assembly Bills Nos. 166, 167 and 311 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 152—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 501—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists;

Also: Senate Bill No. 30—An act to amend section 831 of the Code of Civil Procedure, relating to change of place of trial;

Also: Senate Bill No. 32—An act to amend section 1579 of the Code of Civil Procedure, relating to notice in certain probate proceedings;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass, as amended.

Committee membership—16; committee vote: Ayes—12; absent—4.

CHRISTIAN, Chairman.

Senate Bills Nos. 152, 501, 30 and 32 ordered on file for second reading.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 252—An act to amend section 19 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the

purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, directing that certain moneys be paid into the Seashore Parks Fund—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Conservation.

Committee membership—7; committee vote: Ayes—6; absent—1.

SHARKEY, Chairman.

Senate Bill No. 252 ordered re-referred to Committee on Conservation.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 17—A resolution to propose to the people of the State of California an amendment to section 23a of article IV of the constitution of said State, relating to officers, employees and attaches—has had the same under consideration, and respectfully reports the same back, and recommends that the same pass out under favorable recommendation, and be re-referred to Committee on Finance.

Committee membership—9; committee vote: Ayes—8; absent—1.

ALLEN, Chairman.

Senate Constitutional Amendment No. 17 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 10—A resolution proposing to transfer the cost and expense of maintaining the public schools of the State and authorizing the Legislature to provide therefor, by proposing to the people of the State of California an amendment to the constitution of said State by adding a new section to article IX of said constitution, which new section shall be known as section 6a—has had the same under consideration, and respectfully reports the same back, and recommends that the same pass out, without recommendation, and be re-referred to Committee on Revenue and Taxation.

Committee membership—9; committee vote: Ayes—7; absent—1.

ALLEN, Chairman.

Senate Constitutional Amendment No. 10 ordered re-referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 1 of article IV of the constitution of said State, relating to the filing of initiative or referendum petition—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to Committee on Elections.

Committee membership—9; committee vote: Ayes—8; absent—1.

ALLEN, Chairman.

Senate Constitutional Amendment No. 3 ordered on second reading file.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 925—An act to provide for bridges across navigable streams and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—9.

CLEVELAND, Chairman.

Senate Bill No. 925 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 46—An act establishing certain additional State highways and classifying them as secondary highways;

Also: Senate Bill No. 56—An act to add two new sections to the Penal Code to be numbered 597h and 597i, relating to the cropping of ears of dogs;

Also: Senate Bill No. 318—An act to amend sections 6a, 6b and 16 and to repeal sections 7, 8, 13 and 14 of the "Narcotic Rehabilitation Act," relating to government of the State Narcotic Hospital, commitments, discharge and parole of inmates; prohibiting escapes and prescribing penalties;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 49—An act repealing chapter 537, Statutes of 1911, entitled "An act to provide for the preparation and distribution of serums or vaccines for the prevention of the disease known as cholera in hogs in the State of California, making an appropriation therefor and prescribing the duties of the Controller and Treasurer in relation thereto," approved April 21, 1911;

Also: Senate Bill No. 194—An act to amend section 6 of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, prescribing a penalty for violation of parole;

Also: Senate Bill No. 195—An act to amend section 16a of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, relating to escapes from a State narcotic hospital;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 50—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property;

Also: Senate Bill No. 675—An act to amend the title and sections 2, 4, 5, 6, 9, 10, 12, 13, 13a and 14 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," and to add thereto a new section to be numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor;

Also: Senate Bill No. 676—An act to amend "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 26, 1927, as amended;

Has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that the amendments be adopted, and that same do pass as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Senate Bills Nos. 50, 675 and 676 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Jones to introduce a bill entitled "An act to provide for the establishment of local market milk control boards, and giving to each board power to regulate the prices of milk in the city or town for which it was established, and to prescribe conditions under which milk may be distributed in such city or town"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Waggy, Williams, and Young—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Baker to introduce a bill entitled—An act making an appropriation for the construction and equipment of a National Guard Armory at Salinas—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Jones: Senate Bill No. 927—An act to provide for the establishment of local market milk control boards, and giving to each board power to regulate the prices of milk in the city or town for which it was established, and to prescribe conditions under which milk may be distributed in such city or town.

Senate Bill No. 927 read first time, and referred to Committee on Agriculture and Live Stock.

By Senator Baker: Senate Bill No. 928—An act making an appropriation for the construction and equipment of a National Guard Armory at Salinas.

Senate Bill No. 928 read first time, and referred to Committee on Finance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 14—Relative to the restoration of the trading value of silver—has had the same under consideration, and respectfully reports the same back, and recommends that same be adopted.

Committee membership—5; committee vote: Ayes—4; absent—1.

SCHOTTKY, Chairman.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER FOURTEEN.

Senator Williams asked for, and was granted, unanimous consent to take up, at this time, Assembly Joint Resolution No. 14 for purpose of adoption.

ASSEMBLY JOINT RESOLUTION No. 14.

Relative to restoration of the trading value of silver.

WHEREAS, The drastic fall in the price of silver has played an important part in the present world of business depression through its immediate influence upon the purchasing power of oriental and silver-producing countries as well as affecting the prosperity of our own silver-producing states; and

WHEREAS, International trade has materially suffered and will continue to suffer unless the adverse influences which have contributed to the diminished trading value of silver are removed; and

WHEREAS, The most important cause of this diminished trading value of silver can be ascribed to the placing upon the silver markets of the world of unusual

and large amounts of silver resulting from governmental demonetization programs; and

WHEREAS, The trade of California with oriental nations, with Mexico and other Latin countries has been adversely affected by the decline in the trading value of silver; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the President of the United States be and he is hereby urged and requested to seek ways and means whereby the causes which contribute to the diminished trading value of silver may be removed and the purchasing power of the nations that use silver as a medium of exchange in trade with other nations may be restored; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to transmit copies of this resolution forthwith to the President of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 14 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duell, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—32.

NOES—None.

Assembly Joint Resolution No. 14 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 3, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation district bonds now or hereafter issued or outstanding—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—5; committee vote: Ayes—4; absent—1.

McCORMACK, Chairman.

SECOND READING OF SENATE BILL NUMBER SEVEN HUNDRED THIRTY-THREE.

Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation districts bonds now or hereafter issued or outstanding.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 9, line 35, of the printed bill, strike out the word "Sec.", at the commencement of said line.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 9, line 45, of the printed bill, insert a new subdivision to be numbered "16", and to read as follows, to wit:

"16. In lieu of drawing a warrant against the general fund of the district in the manner and for the purposes provided in subdivisions numbered 14 and 15 of this section, the board of trustees of the district may raise the amounts contemplated by said subdivisions in the manner following, to wit:

(a) Said board of trustees shall declare whether or not in the judgment of said board, it is necessary or advisable that a supplemental assessment be levied against the lands of the district for the purpose of raising the amounts required under the provisions of subdivisions, 14a and 14b of this section, or either thereof, and whether

or not a sufficient assessment should be levied for either or both of said purposes, and if, in said resolution said board shall determine that it is for the best interest of the district that such supplemental assessment shall be levied, then such supplemental assessment shall be levied in the manner following, to wit:

(b) The board of trustees shall prepare and certify an assessment list for said supplemental assessment in the form prescribed by section 3461 of this code. The amount of said supplemental assessment shall not exceed ten per cent of the principal of the refunding bonds to be sold, plus the amount if any to be raised by such supplemental assessment to pay interest on said refunding bonds to the date of maturity of the bonds to be refunded as aforesaid. The amount of said supplemental assessment shall be spread only upon the tracts of land in the district upon which an assessment is then outstanding for payment of the bonds to be refunded and shall be spread on said tracts in proportion to the amounts then assessed against assessment shall be levied in the manner following, to wit:

(c) Said list when completed shall be filed with the clerk of the board of supervisors of the county. The board of supervisors shall appoint a time when it shall meet for the purpose of hearing objections to said supplemental assessment and notice of such hearing shall be given by publication for two weeks in some newspaper of general circulation published in said county. At any time before the date of such hearing any person interested may file written objections to such supplemental assessment stating the ground of such objections, which statement shall be verified by affidavit of such person or some other person who is familiar with the facts. At said hearing the board of supervisors may correct any errors appearing in said supplemental assessment and shall then make an order approving said supplemental assessment and shall endorse such order upon said assessment list, which said endorsement shall be signed by the chairman of the board of supervisors and attested by the clerk thereof. Such decision of said board of supervisors except as hereinafter provided, shall be final and thereafter said assessment list shall be conclusive evidence that the said supplemental assessment has been made and levied according to law. The list shall then be filed with the county treasurer, or if the district is situated in more than one county then the original list must be filed in the county where the greater portion of the lands of said district is situated and copies thereof certified by the treasurer must be filed with the treasurer of each of the other counties. No objection to such supplemental assessment shall be considered by the board of supervisors or allowed in any other action or proceeding unless such objection shall be made in writing to the board of supervisors as above specified.

(d) Any person aggrieved by the decision of the board of supervisors may commence an action in the superior court of the county in which the greater part of such district is situated to have said supplemental assessment corrected, modified or annulled. Such action must be commenced within five (5) days after said assessment list has been filed in the office of the county treasurer. If said action shall not be commenced within five (5) days, no action or defense shall thereafter be maintained attacking the legality of said supplemental assessment in any respect.

(e) After said approved assessment list has been so filed the charges therein specified shall be a lien upon the parcels of land so assessed and shall impart notice thereof to all persons. Said supplemental assessment shall be called for immediate payment and shall become delinquent by declaration made in said resolution at a specified date at least five days prior to the date fixed for the sale of said refunding bonds; and at least thirty days time to pay said supplemental assessment shall be given to the landowners between the date of call and the date of delinquency. Said supplemental assessment shall not bear interest and shall be payable only in gold coin of the United States. Notice of said supplemental assessment and of said call thereon must be personally served upon each owner of land in said district or in lieu of personal service must be sent through the mail addressed to said owner at his place of residence if known, or entered upon the assessment roll of the county and if not known, at the place where the principal office of the district is situated or be published once a week for two weeks successively in some newspaper of general circulation and devoted to the publication of general news within the district and if no such newspaper be published within the district then publication may be made in some newspaper published in the county seat of the county where the greater portion of said district is situated. Upon delinquency a penalty of ten per cent shall be added. If the landowners in any district shall voluntarily pay to the treasurer of the county, on the call of the board of trustees without the levy of such supplemental assessment, the amount required by the board of trustees for the aforesaid purposes as provided on the lands in the district as herein provided then no such supplemental assessment shall be levied.

(f) If a sale of said refunding bonds is consummated by payment of the purchase price thereof and the delivery of the bonds then the board of trustees of the district shall proceed to enforce payment of any delinquencies in the said supplemental assessment in the manner set forth in section 3466 of this code, and the provisions of said section 3466 shall apply to all subsequent proceedings in enforcing collection of said supplemental assessment.

(g) In the event said board of trustees shall elect to raise said amounts through the levy of a supplemental assessment as in this subdivision 16 provided, then said board of trustees shall not direct that a warrant be issued against the general or maintenance fund of said district in favor of the county treasurer as contemplated by subdivision 14 of this section, but that instead, such warrant shall be issued against the fund created by the supplemental assessment levied and collected pursuant to this subdivision.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 9, line 46, of the printed bill, strike out the figures "16.", and insert in lieu thereof the figures "17."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 10, line 22, of the printed bill, strike out the figures "17.", and insert in lieu thereof the figures "18."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 10, line 31, of the printed bill, strike out the figures "18.", and insert in lieu thereof the figures "19."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 10, line 46, of the printed bill, after the words "proceeds of the said", insert the following: "supplemental assessment or of said".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 10, line 48, of the printed bill, after the words "this section", insert a comma, then add the following: "as the case may be".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 10, line 50, of the printed bill, after the words "proceeds of said", insert the words "supplemental assessment or of said".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 11, line 5, of the printed bill, following the word "thereon.", add a new sentence to read as follows:

"If a supplemental assessment shall have been levied and collected pursuant to the provisions of subdivision 16 hereof, any surplus which shall remain in said supplemental assessment fund after the principal and interest on said bonds so next maturing shall have been paid in full shall be refunded by the county treasurer pro ratedly to the persons who shall have paid the same."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Drainage, Swamp and Overflowed Lands.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED SIXTY-EIGHT.

Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

Amend section 1 by striking out the following: beginning with the word "ten", on page 1, line 27, and ending with the word "therefrom", on page 2, line 6, and inserting in lieu thereof the following: "Ten per cent if redeemed within one year from July 1st of the year of sale; twenty per cent if redeemed within two years therefrom; thirty per cent if redeemed within three years therefrom, forty per cent if redeemed within four years therefrom and fifty per cent if redeemed within five or any greater number of years therefrom."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Revenue and Taxation.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 328—An act to amend section 5 of an act entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by providing for the sale and disposition by such districts of water, sewage effluent, fertilizer and other by-products resulting from the operation of sewage plants, and for the conservation of water—has had the same under consideration, and respectfully reports the same back, and recommends that amendments be adopted, and that it be re-referred to Committee on Public Health and Quarantine.

Committee membership—9; committee vote: Ayes—8.

HARPER, Chairman.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED TWENTY-EIGHT.

Senate Bill No. 328—An act to amend section 5 of chapter 250, Statutes of 1923, entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such district, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by providing for the sale and disposition by such districts of water, sewage effluent, fertilizer and other by-products resulting from the operation of sewage plants, and for the conservation of water.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word and figure "section 5", and insert in lieu thereof the words and figures "sections 5 and 10."

Amendment adopted.

AMENDMENT NUMBER TWO.

In the last line of the title of the printed bill, strike out the period, and add a comma and the following: "and for distributing the proceeds of the sales of bonds."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 37, of the printed bill, strike out the words "and maintain" and insert in lieu thereof a comma and the following: "maintain and operate".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 38, of the printed bill, strike out the semicolon, and insert in lieu thereof a comma and the following: "and/or to join with any other district, municipality, or other governmental agency in the construction, maintenance and/or operation of a sewerage system and/or sewage disposal or treatment plant, either within or without said district;".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, following line 16, add the following:

"SEC. 2. Section 10 of said act is hereby amended to read as follows:

Sec. 10. The said board of directors may issue and sell the bonds of such district authorized as hereinbefore provided at not less than par value, and the proceeds of the sale of such bonds shall be placed in the treasury of the county. All premium and accrued interest received shall be paid into the fund to be used for the payment of principal of and interest on said bonds and the remainder of the proceeds of such sale shall be paid into the construction fund of said district, and the proper record of such transactions shall be placed upon the books of the treasurer. Said construction fund shall be applied exclusively to the purposes and objects mentioned in the resolution calling such special bond election as aforesaid, subject to the provisions in this act contained. Payments from said fund shall be made upon demands allowed by the board of directors of said district, and prepared, presented, and audited in the same manner as demands upon the funds of the county."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 147—An act to validate the organization and existence of municipal improvement districts;

Also: Senate Bill No. 148—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act;

Also: Senate Bill No. 149—An act to validate the organization and existence of municipal utility districts;

Also: Senate Bill No. 154—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

HARPER, Chairman.

Senate Bills Nos. 147, 148, 149 and 154 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 493—An act to amend section 1 of chapter 234, Statutes of 1913, entitled "An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose," to authorize counties, cities and counties and cities to acquire property to be granted to the State of California by purchase or proceedings in eminent domain—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8.

HARPER, Chairman.

Senate Bill No. 493 ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Cleveland:

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 340 of the Penal Code, relating to pawnbrokers.

Request referred to Committee on Rules.

RESOLUTION.

The following resolution was offered:

By the Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Senate in the sum of \$300 in favor of the Secretary of the Senate and the Treasurer is hereby directed to pay the same, the same being for postage for the Senate.

INGELS, Chairman. •
WILLIAMS.
MALONEY.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Waggy, and Young—31.

NOES—None.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170*b*, relating to justices of the peace, police court judges and city recorders.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title of the printed bill, on the third line, after the word "judges", strike out "and city recorders", and insert in lieu thereof "and other inferior courts".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 1 and 2, of the printed bill, after the word "or", strike out "city recorder", and insert in lieu thereof "judge of any other inferior court now existing or which may hereafter be provided by law".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after the word "any", insert the words "municipal or superior".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 4, of the printed bill, after the word "court", insert the words "or court".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 1, line 3, after the numbers "3045", strike out all thereafter up to and including line 12, and insert in lieu thereof the following :

"An attorney and counsellor at law has a general lien on all papers, documents and money, coming into his possession, professionally as an attorney and counsellor at law, from his client for compensation, express or implied, due him for any legal services rendered to such client, and may retain possession of the same until the charge for the legal services has been paid. Said lien shall be known as and designated a possessory or retaining lien, and may be enforced by a legal action.

From the commencement of an action or special proceeding before any court, commission, bureau or board, or the service of an answer, cross-complaint or counter-claim, the attorney and counsellor at law who is retained or who appears for a party has a general lien upon his client's cause of action, claim, cross-complaint or counter-claim, known as and designated a charging lien, which attaches to a verdict, report, decision, judgment or final order in his client's favor, and the proceeds thereof in whosoever possession they may come; and the lien cannot be affected by any settlement between the parties, or their agents, interested in the litigation before or after judgment, decree or final order. The court, commission, bureau or board, upon the petition of the client or the attorney and counsellor at law shall determine by appropriate orders and decrees the compensation, express or implied, due the attorney and counsellor at law, to the end that the attorney and counsellor at law shall be paid his charging lien out of any money or property recovered, benefited or preserved through his services rendered. Such order or decree determining the amount of the charging lien shall be enforceable over any and all previous unrecorded conveyances, encumbrances or assignments, and the execution or enforcement of such lien may be stayed only on appeal in the manner provided for by sections 942 and 943 of the Code of Civil Procedure. The charging lien can be waived by the attorney and counsellor at law by expressly writing and filing such waiver in the records of such action, suit or other proceedings.

The provisions of this code section shall be cumulative and in addition to any other right or remedy which an attorney and counsellor at law has for the recovery of compensation due him for services rendered, and shall be liberally construed to the end that attorney and counsellor at law shall have secured to them their compensation for services rendered."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 92—An act to amend section 538 of the Code of Civil Procedure, relating to affidavits of attachment.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 1, line 12, strike out the word "prosecuted", and insert in lieu thereof the correctly spelled word "prosecuted".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 164—An act to add a new section to be numbered 784a to the Penal Code of the State of California, providing for and relating to the jurisdiction of criminal actions for slander and in what county or counties such criminal actions shall be commenced and tried.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, omit the words, "uttered against a living person".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, omit the word, "so".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, omit the words, "intended to be".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, after the word "resided", add a comma, and the words, "or the educational, literary, social, fraternal, benevolent or religious corporation, association or organization slandered was located,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 454—An act to amend section 602 of the Penal Code, relating to trespass.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 2, line 33, of the printed bill, strike out the word "catching", and strike out the word "fish".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 407—An act to add a new section, to be numbered section 693, to the Political Code, relating to the preparation and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, and to repeal "An act relating to the advertising and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the State Board of Control and vesting in the State Board of Control the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore given to any State officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," approved December 18, 1911.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 9 of the title of the printed bill, strike out the words "board of control", and insert in lieu thereof the following words: "department of finance".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 10 of the title of the printed bill, strike out the words "board of control", and insert in lieu thereof the following words: "department of finance".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 88—An act to amend sections 1547 and 1549 of the Code of Civil Procedure, relating to the giving of notice of sales of property by executors and administrators.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the words "whole estate", and insert in lieu thereof the words "property to be sold".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, strike out the words "six months", and insert in lieu thereof the words "one year".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, strike out the word "whole", and insert in lieu thereof the words "property to be sold".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 17, of the printed bill, strike out the word "estate".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 22, of the printed bill, strike out the word "six", and insert in lieu thereof the words "one year".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 23, of the printed bill, strike out the word "months".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out all of the bill beginning with line 31 to and including line 43, and insert in lieu thereof the words "If it be shown that it will be for the best interests of the estate the court or judge may, by an order, shorten the time of notice, which shall not, however, be less than one week."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 90—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 9, of the printed bill, strike out the word "celebrated", and insert in lieu thereof the word "solemnized".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill, strike out the word "celebrated", and insert the word "solemnized".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 19, of the printed bill, after the word "marry", strike out "and after the expiration of three full calendar days and not more than thirty days after application and signing of notice of intention to marry the clerk may issue such license to marry. Such", and insert in lieu thereof the word "which".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, starting with line 35, strike out lines 35, 36, 37, 38, 39, 40, 41 and 42.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 546—An act to amend the "California Vehicle Act," approved May 30, 1923, as amended, by amending section 77 of said act, relating to the registration fees to be paid upon registration of motor vehicles, trailers and semitrailers.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the period, and insert the following: "and for the registration of every electric motor vehicle designed, used or maintained primarily for the transportation of passengers for hire, or for the transportation of property there shall be paid fees according to the following schedule:

For each such vehicle weighing, when unladen, less than six thousand pounds	\$50 00
For each such vehicle weighing, when unladen, six thousand pounds or more, but less than ten thousand pounds	70 00
For each such vehicle weighing, when unladen, ten thousand pounds or more	90 00"

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 19, of the printed bill, after the word "table", insert the following: "except that the fees specified in this subsection need not be paid for electric vehicles;"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and re-referred to Committee on Motor Vehicles.

Senate Bill No. 150—An act confirming and validating the formation or organization and existence of reclamation districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 151—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 72—An act creating a game refuge to be known as the Huntington Lake Game Refuge, providing for the conservation and protection of game within such district, and providing penalties for violation of the act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 507—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 752—An act to amend section 626c of the Penal Code, relating to the protection of game.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 890—An act to amend section 626m of the Penal Code, relating to hunting and fishing at night.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 18, of the printed bill, substitute the word "may", for the word "shall".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 160—An act to amend section 3477 of the Political Code, relating to crediting purchasers, forwarding statements, and paying over moneys by registers of reclamation districts.

Bill read second time, ordered engrossed, and on file for third reading:

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 50—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property;

Also: Senate Bill No. 675—An act to amend the title and sections 2, 4, 5, 6, 9, 10, 12, 13, 13a and 14 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," and to add thereto a new section to be numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor;

Also: Senate Bill No. 676—An act to amend "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 26, 1927, as amended;

Has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that the amendments be adopted, and that same do pass as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Senate Bills Nos. 50, 675 and 676 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 827—An act to amend section 4.730 of the School Code, and to repeal sections 4.731 and 4.732, relating to the duty of the Superintendent of Public Instruction to make certain reports to the State Controller.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 827 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 828—An act to amend section 4.721 of the School Code, relating to the determination of the units of average daily attendance in schools closed by boards of health or public disaster.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 828 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 830—An act to amend the title of article VI of chapter I of part IV of division V of the School Code and to amend sections 4.750 and 4.751 thereof, relating to the average daily attendance in school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 830 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Senate Bill No. 835—An act to amend sections 4.340, 4.343, 4.344, 4.346, 4.347, 4.350 and 4.351 of the School Code, and to repeal section 4.348 thereof, all relating to orders and requisitions upon school district funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 835 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Waggy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and two minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Edith McCallock.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miriam Schottky of Merced, daughter of Senator Schottky.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge John Moore of Richmond.

On request of Senator Rochester, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mark Potter of Pomona, California, and Thomas Whelan, district attorney, of San Diego county, California.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 49—An act repealing chapter 537, Statutes of 1911, entitled "An act to provide for the preparation and distribution of serums or vaccines for the prevention of the disease known as cholera in hogs in the State of California, making an appropriation therefor and prescribing the duties of the Controller and Treasurer in relation thereto," approved April 21, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 49 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Waggy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 56—An act to add two new sections to the Penal Code, to be numbered 597*h* and 597*i*, relating to the cropping of the ears of dogs.

Bill read third time.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Harper moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—30.

The Secretary announced the absentees.

Time, two o'clock and twenty minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and twenty-two minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Harper.

The Secretary was directed to call the roll on the passage of Senate Bill No. 56 of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 56 refused passage by the following vote:

AYES—Senators Allen, Breed, Cassidy, Crittenden, Duval, Edwards, Harper, McKinley, Mixter, and Pedrotti—10.

NOES—Senators Bush, Cleveland, Clock, Deuel, Evans, Hays, Ingels, Jones, Maloney, McCormack, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—21.

Senate Bill No. 194—An act to amend section 6 of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, prescribing a penalty for violation of parole.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 194 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney,

McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 195—An act to amend section 16a of the "Narcotic Rehabilitation Act," approved April 9, 1927, as amended, relating to escapes from a State narcotic hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 195 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 318—An act to amend sections 6a, 6b and 16 and to repeal sections 7, 8, 13 and 14 of the "Narcotic Rehabilitation Act," relating to government of the State Narcotic Hospital, commitments, discharge and parole of inmates; prohibiting escapes and prescribing penalties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 318 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 46—An act establishing certain additional State highways and classifying them as secondary highways.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Williams moved to refer Senate Bill No. 46 to Senator Tubbs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, of the printed bill, after the last material, insert the following:

"(y) Sonora to Mariposa."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators McKinley, Breed and Inman on Senator Williams' motion to refer Senate Bill No. 46 to Senator Tubbs as a Special Committee of One for amendment.

The roll was called, and Senator Williams' motion lost by the following vote:

AYES—Senators Bush, Christian, Cleveland, Ingels, Moran, Rich, Rochester, Schottky, Tubbs, and Williams—10.

NOES—Senators Allen, Breed, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Sharkey, Slater, Swing, Wag, and Young—27.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 46 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wag, and Young—35.

NOES—Senator Williams—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF ASSEMBLY BILL NUMBER ONE THOUSAND EIGHT
HUNDRED SIXTY-FOUR.

Senator Swing asked for, and was granted, unanimous consent to have Assembly Bill No. 1864 withdrawn from Committee on Finance, for purpose of amending.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND EIGHT
HUNDRED SIXTY-FOUR.

Assembly Bill No. 1864—An act making an appropriation to meet the deficiency in the appropriation for the mileage of members of the Assembly for the eight-first and eight-second fiscal years, and declaring the urgency thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the first line of the title of the printed bill, strike out the words "to meet the deficiency in the".

Amendment adopted.

AMENDMENT NUMBER TWO.

In the title of the printed bill, strike out lines 2 and 3, and insert in lieu thereof the following: "for the mileage for members and officers of the Legislature, and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the word "five", and insert the word "eight", in lieu thereof.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, following the word "appropriated", in line 3, strike out the remainder of line 3, and all of lines 4 and 5, and insert in lieu thereof the following: "for mileage for members and officers of the Legislature."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Concurrent Resolution No. 7—Relative to establishment of a State prison in one of the southern counties of the State of California. Resolution read.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the resolution, Senator Rochester moved to refer Senate Concurrent Resolution No. 7 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed bill, as amended March 2, strike out the word "that", following the comma after the word "resolved".

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, after the word "Legislature", strike out the words "that no site be selected for the state prison", and insert in lieu thereof the following: "that the commission and the legislative committee work together toward the selection of a site for the state penitentiary, said commission having been created".

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, after "1929", strike out "except after approval of said site by the legislative committee hereby continued in force and that no site for said prison shall be purchased by the state until after the approval thereof by said committee", and insert in lieu thereof "and that the commission and legislative committee hereby continued in force jointly select the site for said prison to be purchased by the state;"

AMENDMENT NUMBER FOUR.

On page 2, line 17, of the printed bill, after the word "further", start a new paragraph and insert the following:

"Resolved, that said commission and committee be and they are hereby required to select and purchase such prison site within sixty days after the adjournment of the present session of the Legislature; and be it further".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Concurrent Resolution No. 7, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Committee.

Report read, and on motion of Senator Rochester, adopted.

Senate Concurrent Resolution No. 7 ordered to print and re-engrossment.

Senate Bill No. 844—An act to amend section 3.292 of the School Code, relating to apportionments of State and county funds to high school districts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 844 to Senator Inman as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, beginning with said line 8, strike out all of lines 8 to 13, inclusive, and insert in lieu thereof the following: "Any high school district which shall not have established and maintained therein, within three years of the date of the formation of the high school district, at least one four-year high school, or, in lieu thereof, at least one junior high school and one senior high school, shall be lapsed, and the territory thereof shall be attached by the county board of supervisors to an adjacent high school district to be designated by the county superintendent of schools; *provided*, that any high school district existing at the time of the effective date of this enactment, shall be allowed three full years after such date to comply with the requirements of this article".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 844, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 56 was refused passage.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Cleveland to introduce a bill entitled "An act to amend section 340 of the Penal Code, relating to pawnbrokers"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Denel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Young—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Senator Cleveland: Senate Bill No. 929—An act to amend section 340 of the Penal Code, relating to pawnbrokers.

Senate Bill No. 929 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 40—An act to amend section 6a of chapter 218, Statutes of 1921, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, relating to the annexation of municipalities and county water districts to municipal utility districts, and declaring the urgency of said amendment:

Also: Senate Joint Resolution No. 10—Relative to Englebright Fire Prevention bill H. R. 3245:

And reports the same have been correctly enrolled and presented to the Governor on the fifth day of March, at one o'clock and thirty minutes p.m.

RILEY, Chairman.

ON IRRIGATION

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 198—An act to repeal section 324 of the California Irrigation District Act, relating to election on sale of bonds at less than par;

Also: Senate Bill No. 199—An act repealing chapter 489, Statutes of 1919, entitled "An act to authorize irrigation districts to refund outstanding bonded indebtedness," approved May 25, 1919;

Also: Senate Bill No. 200—An act to repeal chapter 254, Statutes of 1897, entitled "An act to provide for the issue and sale or exchange of funding bonds of irrigation districts organized under and in pursuance of an act of the Legislature of the State of California entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, as amended;

Also: Senate Bill No. 202—An act to amend section 39 of the California Irrigation District Act, relating to the levying of assessments;

Also: Senate Bill No. 203—An act to amend section 6 of the California Irrigation District Act, relating to election on organization;

Also: Senate Bill No. 278—An act to repeal chapter 341, Statutes of 1919, entitled "An act to be known as 'The California Irrigation Act,' providing for cooperation between the State of California and the United States, and independent proceedings, in the storage and diversion of water, the distribution thereof for irrigation and other beneficial uses and purposes, the generation and manufacture of electric power; creating an Irrigation Board, and providing for the formation of irrigation districts and conservation districts, and the conversion of irrigation districts, reclamation districts, drainage districts and other political subdivisions of the State organized for the purpose of promoting irrigation, reclamation and drainage, into irrigation districts under this act; and empowering said Irrigation Board to make and approve contracts and agreements, to construct reservoirs and other works, divert, distribute and sell water and lease and sell water rights, and generate, lease and sell electric power, to apportion to the constituent units of conservation districts the water and electric power to be produced and generated by conservation district works, to levy assessments, and issue bonds of irrigation districts and conservation districts; providing for the management, control and supervision of such irrigation districts and conservation districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; and generally providing a policy relating to the storage, diversion and use of water and the manufacture or generation of electric power, and adopting a plan for providing revenues therefor; and repealing the California Irrigation Act approved June 4, 1915, and chapter 646 of the Statutes of 1917, approved May 28, 1917, amendatory thereof," approved May 16, 1919;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

MIXTER, Chairman.

Senate Bills Nos. 198, 199, 200, 202, 203 and 278 ordered on file for second reading.

Also:

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 181—An act to amend sections 52 and 67 of the California Irrigation District Act, relating to the redemption or purchase of bonds and payment of interest, and to the creation of funds:

Also: Senate Bill No. 157—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

MIXTER, Chairman.

Senate Bills Nos. 181 and 157 ordered on file for second reading.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Friday, March 6, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, March 6, 1931.

The Senate met at eleven o'clock a. m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—35

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 5, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Cleveland was, on motion of Senator Cassidy, granted leave of absence for this day.

Senator Edwards was, on motion of Senator McKinley, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Eunice Craig and Velma Yates, bathing beauties of Mack Sennett.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Eva Wheeler of Los Angeles, president of W. C. T. U. of southern California.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. L. W. Holmes.

On request of Senator Wagy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mayor C. A. Williams of Taft, California.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 923—An act to amend sections 633 and 633a, and to add sections 633a1, 633a2, 633a3, 633a4, 633a5, 633a6, 633a7, 633a8, 633a9, 633a10, 633a11, 633a12, 633a13, 633a14, 633a15, 633a16, 633a17, 633a18, 633a19, 633a20, 633a21, 633a22, 633a23, 633a24, 633a25, 633a26, 633a27, 633a28, 633a29, 633a30, 633a31, 633a32, 633a33, 633a34, 633a35 to the Political Code, relating to the qualification and licensing of insurance agents, brokers, and solicitors, and making an appropriation for the support of the Board of Insurance Qualification;

Also: Assembly Bill No. 568—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property;

Also: Assembly Bill No. 1176—An act to amend section 820 of the Penal Code, relating to warrants of arrest;

Also: Assembly Bill No. 1490—An act to amend section 3.515 of the School Code, relating to vocational rehabilitation;

Also: Assembly Bill No. 433—An act to amend section 313 of the School Code, relating to types of schools;

Also: Assembly Bill No. 469—An act to amend sections 3.625, 3.632 and 3.634 of the School Code, relating to visiting teachers for physically handicapped persons.

Also: Assembly Bill No. 152—An act to amend sections 2 and 3 of chapter 431. Statutes of 1921, entitled "An act to provide for the filing of names, marks or other devices used to indicate ownership, providing for certain benefits therefrom, and prescribing penalties for violating the provisions hereof; repealing an act (approved March 21, 1911) entitled 'An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of olives, olive oil, salad oil, soda waters, mineral or aerated water, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, white beer or other beverages, repealing 'An act to protect the owners of bottles, boxes, siphons, and kegs used in the sale of soda waters, mineral or aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer, or other beverages,' approved March 31, 1891, also repealing an act to amend an act entitled 'An act to protect the owners of bottles, boxes, siphons, and kegs, used in the sale of soda waters, mineral and aerated waters, porter, ale, cider, ginger ale, milk, cream, small beer, lager beer, weiss beer, beer, white beer or other beverages (approved March 31, 1891), by adding thereto a new section after section 4 thereof, relating to deposits, to be numbered as section 5 of said act by renumbering section 5 of said act as section 6 thereof, and amending the same relating to assignments, and by renumbering section 6 of said act as section 7 thereof," approved March 5, 1903.'"

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 923 read first time, and referred to Committee on Insurance.

Assembly Bills Nos. 568 and 1176 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1490, 433, and 469 read first time, and referred to Committee on Education.

Assembly Bill No. 152 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 11—Relative to accepting permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over the said rights of way, approach roads, toll areas, bridge ends, and bridge.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Joint Resolution No. 11 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 6, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 72—An act creating a game refuge to be known as the Huntington Lake game refuge providing for the conservation and protection of game within such district, and providing penalties for violation of the act;

Also: Senate Bill No. 150—An act confirming and validating the formation or organization and existence of reclamation districts;

Also: Senate Bill No. 151—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 160—An act to amend section 3477 of the Political Code, relating to crediting purchasers, forwarding statements, and paying over moneys by registers of reclamation districts;

Also: Senate Bill No. 507—An act to amend section 626 of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 752—An act to amend section 626c of the Penal Code, relating to the protection of game;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 4, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 409—An act to amend sections 1, 9 and 13 of chapter 426, Statutes of 1915, entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to license fees and the issuance, suspension and revocation of licenses—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Senate Bill No. 409 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 422—An act to repeal sections 683 and 684 of the Political Code, relating to the Department of Finance;

Also: Senate Bill No. 444—An act to amend sections 2 and 10 of chapter 16, Statutes of 1923, entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State;

Also: Senate Bill No. 445—An act to amend sections 2 and 3 of chapter 301, Statutes of 1913, entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, relating to surplus money in the State treasury;

Also: Senate Bill No. 646—An act to transfer all property which was acquired in any manner for the use of the California Industrial Farm for Women to the Sonoma State Home;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10.

CRITTENDEN, Chairman.

Senate Bills Nos. 422, 444, 445 and 646 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 258—An act to make an appropriation to carry out the provisions of the act creating the California Code Commission;

Also: Senate Bill No. 259—An act to amend sections 2, 3 and 4 of chapter 750, Statutes of 1929, entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission;

Also: Senate Bill No. 299—An act requiring privately owned radio broadcasting stations to keep a public record of all sums received as gifts;

Also: Senate Concurrent Resolution No. 15—Providing for the appointment of a Joint Legislative Committee on revision of the laws;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Judiciary.

Committee membership—11; committee vote: Ayes—10.

CRITTENDEN, Chairman.

Senate Bills Nos. 258, 259 and 299 ordered re-referred to Committee on Judiciary.

Senate Concurrent Resolution No. 15 ordered re-referred to Committee on Judiciary.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 6, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 126—An act to provide for the recall of elective officers of incorporated cities

and towns, and to repeal chapter 32, Statutes of 1911, extra session, entitled "An act to provide for the recall of elective officers of incorporated cities and towns," approved January 2, 1912;

Also: Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that the bills be re-referred to this committee.

Committee membership—11; committee vote: Ayes—9; absent—2.

FELLOM, Chairman.

Senate Bills Nos. 126 and 448 ordered on file for second reading.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 6, 1931.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 533—An act to amend section 2 of an act entitled "An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the county of Los Angeles which were heretofore transferred to and vested in said the Regents of the University of California by an act entitled "An act repealing sections 1, 2 and 3 of an act entitled "An act to establish a branch State Normal School," approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the Regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles, continuing regular normal school training courses and providing an appropriation for the support and maintenance thereof," approved May 23, 1919, and all other properties, real, personal, and mixed, connected therewith or appurtenant thereto, and authorizing said the Regents of the University of California to hold, sell, lease or otherwise deal with the same and to dispose of proceeds realized from said holding, selling, leasing, or otherwise dealing with the same, and repealing all acts or parts of acts in conflict with this act," approved April 12, 1929—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

DEUEL, Chairman.

Senate Bill No. 533 ordered on file for second reading.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, March 6, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that the bill be re-referred to this committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

SHARKEY, Chairman.
DUVAL.
HARPER.
MALONEY.
MORAN.
WAGY.

Senate Bill No. 362 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 26—An act to provide for the payment of the highest prevailing rate of wages on public work, whether the work is done by contract or otherwise, and double pay for legal holiday work and for such overtime work as is permitted by law, providing for the ascertainment of such highest prevailing rate by the officer or public body awarding the contract and its insertion in the contract and bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—9.

MALONEY, Chairman.

SECOND READING OF SENATE BILL NUMBER TWENTY-SIX.

Senate Bill No. 26—An act to provide for the payment of the highest prevailing rate of wages on public work, whether the work is done by contract or otherwise, and double pay for legal holiday work and such overtime work as is permitted by law, providing for the ascertainment of such highest prevailing rate by the officer or public body awarding the contract and its insertion in the contract and bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, strike out the words "officer or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, strike out the words "officer or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 22, of the printed bill, strike out the words "officer or".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed bill, strike out the words "officer or".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 25, of the printed bill, strike out the words "his or its deputies", and insert in lieu thereof "its officers".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 38 and 39, of the printed bill, strike out the words "officer or".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 39, of the printed bill, strike out the words "his or its deputies", and insert in lieu thereof the words "its officers".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 49, of the printed bill, after the word "charter", insert the words "heretofore or hereafter approved".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 49, of the printed bill, before the word "shall", insert the following: "also any work paid for in whole or in part out of public fund,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 52, of the printed bill, strike out the word "work", and insert in lieu thereof the following: "building, highway, road, excavation, or other structure, project, development or improvement,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 52, of the printed bill, after the word "thereof", insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 52, of the printed bill, strike out the words "to be done", and insert in lieu thereof the word "situated".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, lines 1 and 2, of the printed bill, strike out the words "officer or".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 7, of the printed bill, strike out the words "officer or".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 7, of the printed bill, insert before the word "or", the following: "or authorizing the work,".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 8, of the printed bill, before the word "as", insert the following: "or allowing the claims,".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 12, of the printed bill, strike out the period after the word "wages", and insert in lieu thereof the following: ", nor shall anything in this act be construed to permit any overtime work in violation of section 653c of the Penal Code."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Labor and Capital.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to amend sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430, inclusive, and new sections to be numbered 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools;

Also: Senate Bill No. 906—An act to amend section 2.464 of the School Code, relating to the taxation of elementary school districts, and for the payment by said school districts of the quotient cost of educating pupils of such elementary school district attending a high school district;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—8.

SLATER, Chairman.

Senate Bills Nos. 853 and 906 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 849—An act to amend section 5.401, 5.460, 5.461, 5.802, 5.810 and 5.1071 of the School Code; to repeal chapter VI, embracing sections 5.630 to 5.634, both inclusive, of part III of division V thereof; to add a new chapter to part III of division V thereof, to be known as chapter VI, embracing sections 5.630 to 5.634, both inclusive; to add thereto new sections to be numbered 5.112, 5.383, 5.532, 5.804, 5.815; to add thereto a new part to be known as part V of division V thereof, embracing sections 5.1100 to 5.1138, both inclusive; to repeal section 5.814, and to repeal those acts in this act enumerated and described, all relating to the teaching and supervisory force of the public school system;

Also: Senate Bill No. 850—An act to amend sections 4.52, 4.380, 4.381, 4.382, 4.452, 4.490, 4.630, 4.774, of the School Code; to add thereto new sections to be numbered 4.281, 4.383, 4.384, 4.469, 4.491, 4.492, 4.762 1 and 4.778 1; to add a new article to chapter I of part III of division IV thereof, to be known as article 1a and to embrace sections 4.280a to 4.284a, both inclusive, and to repeal those acts in this act enumerated and described, all relating to the financial support of the public school system;

Also: Senate Bill No. 851—An act to amend sections 3.351, 3.530 and 3.762 of the School Code, to repeal article VIII, embracing sections 3.490 to 3.501, inclusive, of chapter I of part IV of division III thereof, to add a new article to chapter I of part IV of division III thereof to be known as article VIII, embracing sections 3.490 to 3.495, inclusive, to add a new article to chapter II of part IV of division III to be known as article VIIa, embracing sections 3.670a to 3.685a, inclusive; to add thereto new sections to be numbered 3.392 and 3.807 and to repeal those acts in this act enumerated and described, all relating to the system of public instruction;

Also: Senate Bill No. 852—An act to amend sections 2.310, 2.500, 2.600, 2.670 to 2.674, inclusive, 2.690, 2.691, 2.750, 2.830, 2.877, 2.913, 2.1021, 2.1058, 2.1061, 2.1130, 2.1131, 2.1391, 2.1435, 2.1440 to 2.1443, inclusive, 2.1463, 2.1466 and 2.1468 of the School Code; to add thereto new sections to be numbered 2.21, 2.1095, 2.1111, 2.1321, 2.1399 to 2.1401, inclusive, 2.1444 to 2.1446, inclusive, and 2.1469; to add a new article to chapter VI of part I of division II thereof to be numbered article VIIa, embracing sections 2.440a to 2.454a, inclusive; to add a new article to chapter XI of part I of division II thereof, to be numbered article VIa, embracing sections 2.730a to 2.738a, inclusive; to add a new article to chapter I of part V of division II thereof to be numbered article V, embracing section 2.1520; to repeal sections 2.1392 to 2.1398, inclusive, and sections 2.1132 and 2.1133 thereof, and to repeal those acts in this act enumerated and described, all relating to the administrative organization of the public school system;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—8.

SLATER, Chairman.

Senate Bills Nos. 849, 850, 851 and 852 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 144—An act to amend section 5.582 of the School Code, relating to joint teachers institutes;

Also: Senate Bill No. 238—An act to amend section 2.1090 of the School Code, relating to the organization of high school district governing boards;

Also: Senate Bill No. 245—An act to amend section 2.1152 of the School Code, relating to the organization of junior college district governing boards;

Also: Senate Bill No. 450—An act to add four new sections to the California School Code, to be numbered 6.12, 6.13, 6.14, and 6.15, relating to the maintenance and repair of school property by the county superintendent of schools;

Also: Senate Bill No. 848—An act to amend sections 6.61, 6.260, 6.440, 6.441, 6.452, 6.732 and 6.751 of the School Code; to add thereto new sections to be numbered 6.101, 6.204, 6.470-1, 6.470-2 and 6.733; to add a new article to chapter II of part I of division VI thereof, to be known as article VIa embracing section 6.90a; a new article to chapter IV of part I of division VI thereof, to be known as article IIIa, embracing sections 6.190a to 6.194a, both inclusive; to repeal article I, embracing sections 6.370 to 6.376, both inclusive, article III, embracing sections 6.390 to 6.393, both inclusive, article IV, embracing sections 6.400 to 6.408, both inclusive, article V, embracing sections 6.420 to 6.429, both inclusive; all of chapter V of part II of division VI thereof; to add to chapter V of part II of division VI thereof, a new article to be known as article I, to embrace sections 6.370 to 6.375, both inclusive; a new article to be known as article III, to embrace sections 6.390 to 6.391, both inclusive; a new article to be known as article IV, embracing sections 6.400 to 6.409, both inclusive; a new article to be known as article V, to embrace sections 6.420 to 6.424, both inclusive; to repeal section 6.62 thereof, and to repeal

all those acts and parts of acts in this act enumerated and described, all relating to the environment and equipment of the public school system; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

SLATER, Chairman.

Senate Bills Nos. 144, 238, 245, 450 and 848 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 131—An act to amend section 651d of the Civil Code, relating to the conferring of academic or professional degrees;

Also: Senate Bill No. 237—An act to amend sections 2,913 and 2,914 of the School Code and to repeal chapter 284 of the Statutes of 1929 entitled "An act relating to the holding of school elections in union or joint union school districts," approved May 14, 1929, relating to elections for members of union or joint union school district governing boards;

Also: Senate Bill No. 247—An act to amend section 2,123 of the School Code, relating to the providing of educational facilities by superintendents of schools of counties;

Also: Senate Bill No. 280—An act to amend section 6.4 of the School Code, relating to the payment of assessments levied against real property owned by, or under the control of, boards of school trustees and city boards of education;

Also: Senate Bill No. 847—An act to repeal chapter II, embracing sections 4,760 to 4,864, both inclusive, of part IV of division IV of the School Code and to add thereto a new chapter to be known as chapter II, embracing sections 4,760 to 4,833, both inclusive, relating to the apportionment of State and county elementary school funds;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass, as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

SLATER, Chairman.

Senate Bills Nos. 131, 237, 247, 280 and 847 ordered on file for second reading.

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 6, 1931.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 429—An act to amend section 2079 of the Political Code, relating to allowances to organizations of the National Guard;

Also: Senate Bill No. 536—An act to amend section 4041f of the Political Code, relating to powers of counties as to facilities for veterans;

Also: Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or making available, of public lands in certain instances to memorial districts for such purposes;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—7.

HAYS, Chairman.

Senate Bills Nos. 429, 536 and 706 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 498—An act to amend section 2102 of the Political Code, relating to the National Guard;

Also: Senate Bill No. 499—An act to amend section 2098 of the Political Code, relating to the National Guard;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass, as amended.

Committee membership—11; committee vote: Ayes—7.

HAYS, Chairman.

Senate Bills Nos. 498 and 499 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 153—An act validating the formation, organization and existence of sanitary districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 155—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 156—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 59—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 33—An act to amend section 1789 of the Code of Civil Procedure, relating to notice of certain sales of property under administration.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 925—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 152—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, after line 27, of the printed bill, insert the following language:

"Sec. 2. This act shall not operate to legalize any bonds of any sanitary district that have not, at the time of the passage of this act, been authorized by the vote of not less than two thirds of the qualified electors of such district voting at an election called for the purpose of submitting to the qualified electors of such district the question whether such indebtedness shall be incurred."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out the figure "2", after the word "Sec.", and insert the figure "3".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 501—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

COMMITTEE AMENDMENT.

During second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, after the word "hundred", insert the word "thousand".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 30—An act to amend section 831 of the Code of Civil Procedure, relating to change of place of trial.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, insert comma after the word "demurs".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 32—An act to amend section 1579 of the Code of Civil Procedure, relating to notice in certain probate proceedings.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out that portion commencing with the word "in", in line 17 down to and including the word "determine", in line 21, and in lieu thereof insert the following: "at the courthouse of the county where the proceedings are pending or by publication in a newspaper in the county, or both, as the executor, administrator, or guardian may determine by election in writing filed with the clerk at the same time the petition is filed".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, insert after the word "let", the following: "the premises described therein".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 50—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out "*provided, however, one year from the time this act*", and all of lines 9 to 17, inclusive, and insert in lieu thereof the following: "*provided, that effective one year from the time this act takes effect, the lien of every tax whether now existing or hereafter attaching shall cease to exist for all purposes after thirty years from the time said tax became a lien*;

And provided, further, that effective one year from the time this act takes effect, every tax whether now existing or hereafter levied shall be conclusively presumed to

have been paid after thirty years from the time the same became a lien, unless the property subject thereto has been sold in the manner provided by law for the payment of said tax."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 675—An act to amend the title and sections 2, 4, 5, 6, 9, 10, 12, 13, 13a and 14 of chapter 266, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," and to add thereto a new section to be numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "sections" insert "1," after "6," insert "7," and after "10," insert "11."

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, strike out "and", and insert in lieu thereof "as amended."

Amendment adopted.

AMENDMENT NUMBER THREE.

In the last line of the title of the printed bill, strike out the period and insert in lieu thereof a comma, followed by "and providing that this act shall take effect immediately."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 7, of the printed bill, after "Section", strike out "2", and insert in lieu thereof "1".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 8, of the printed bill, after "follows:", insert the following: "Section 1. The following words, terms and phrases shall, whenever used in this act, have the meaning set forth in this section.

(a) "Motor vehicle" shall mean and include every vehicle operated upon the highways of this state which is propelled by the use of motor vehicle fuel.

(b) "Motor vehicle fuel" shall mean and include all gasoline, distillate, benzine, naphtha, liberty fuel and other volatile and inflammable liquids produced or compounded for the purpose of, or which may be used in, operating or propelling motor vehicles except kerosene and except unfinished products requiring rerun, blending, or compounding and which are not used or sold for use in such form for the purpose of operating or propelling motor vehicles.

(c) "Distributor" shall mean and include every person, firm, association or corporation who refines, manufactures, produces or compounds motor vehicle fuel in this state and sells the same in this state; also every person, firm, association or corporation who imports any motor vehicle fuel into this state and sells the same in this state whether in the original packages or containers in which it is imported or otherwise than in such original packages or containers; or imports any such fuel for his or its own use in this state; also every person, firm, association or corporation who, having acquired in this state in the original package or container motor vehicle fuel which has been imported into this state, shall distribute or sell the same, whether in such original package or container in which the same was imported or otherwise than in such original package or container.

(d) "Producer" shall mean and include every person, firm, association or corporation, other than a distributor, engaged in the business of producing or manufacturing casing-head gasoline, kerosene distillates or other petroleum products used in, or which may be used in, the blending, compounding or manufacturing of motor vehicle fuel.

(e) "Broker" shall mean and include every person, firm, association or corporation, other than a distributor, engaged in business as a broker, jobber or wholesale merchant dealing in casing-head gasoline, kerosene distillate or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel.

(f) "Service station" is a place operated primarily for the purpose of delivering motor vehicle fuel into the fuel tanks of motor vehicles.

SEC. 3. Section 2 of chapter 267, statutes of 1923, is hereby amended to read as follows:—

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 9 and 10, of the printed bill, strike out "after this act becomes effective and"; strike out "thereafter", and insert in lieu thereof "after this act becomes effective".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 17, of the printed bill, insert a period after "board".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, lines 32 and 33, of the printed bill, strike out "in an amount not less than one thousand dollars nor more than one hundred thousand dollars".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, lines 37 to 45, of the printed bill, strike out "The amount of the bond required of any distributor shall be fixed by the state board of equalization and an additional bond or bonds may be required by said board at any time subject to the limitations herein provided; but any distributor may demand the reduction of his bond to an amount not more than twice the highest license tax said distributor has paid for any month during the preceding six months; *provided, however*, that the bond shall never be in an amount less than one thousand dollars.", and insert in lieu thereof "The total amount of the bond or bonds required of any distributor shall be fixed by the state board of equalization and may be increased or reduced by said board at any time subject to the limitations herein provided. In fixing the total amount of the bond or bonds required of any distributor, the state board of equalization must require a bond or bonds equivalent in total amount to twice his estimated monthly license tax determined in such manner as said board may deem proper; *provided, however*, that, subject to such terms and conditions as the state board of equalization may prescribe, any distributor may undertake to pay on each Tuesday the license tax accruing on all of his distributions of motor vehicle fuel during the week ending the Saturday next preceding, and, if any distributor shall so bind himself, said board shall fix his bond or bonds in a total amount equivalent to one and one-half times the license tax accruing on account of his estimated weekly distributions determined in such manner as said board may deem proper; *and further provided*, that the total amount of the bond or bonds required of any distributor shall never be less than one thousand dollars nor more than one hundred thousand dollars."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 50, of the printed bill, after "provided.", add the following paragraph:

"Nothing in this section shall be construed as relieving any distributor of the duty of filing the sworn monthly statement required by section 6 of this act. The assessment of any distributor who makes weekly payments shall be shown on the assessment roll prepared under said section 6 in the same manner as the assessments of other distributors are shown thereon, and the controller shall apply such payments to the credit of such distributor on the assessment roll for the month during which the distributions covered by such payments were made. Whenever any distributor undertaking to pay his license tax in weekly installments, as provided in this section, shall fail to pay the full amount thereof in accordance with the terms and conditions prescribed by the state board of equalization, his license may

be revoked forthwith, unless he complies immediately with the requirement of this section relating to the filing of a bond or bonds equivalent in total amount to twice the estimated monthly license tax. In the event of nonpayment of any weekly installment of the license tax, or any part thereof, pursuant to the undertaking of any distributor, the full amount of the license tax accrued against such distributor shall become immediately due and payable and the controller and the attorney general shall proceed forthwith to collect the license tax due from such distributor in the manner prescribed by section 4 of this act with reference to delinquency in the payment of the monthly license tax. All provisions of said section 4 shall apply with full force and effect to collections required to be made under this section."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, lines 3 to 9, of the printed bill, strike out "person, firm, association or corporation engaged in the business of producing or manufacturing casing-head gasoline, kerosene distillates or other petroleum products used in or which may be used in the blending, compounding or manufacturing of motor vehicle fuel, and every person, firm, association or corporation who may, after the effective date of this act, engage in such business of production or manufacture," and insert in lieu thereof "producer".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, lines 10 to 13, of the printed bill, strike out "broker, jobber, or wholesale merchant dealing in such petroleum products, or who may, after the effective date of this act, deal in such petroleum products in such capacity or capacities, shall", and insert in lieu thereof "broker".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, lines 13 and 14, of the printed bill, strike out "or before engaging in such business, as the case may be," and insert in lieu thereof "and thereafter every person, firm, association or corporation before becoming a producer or broker shall".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, lines 19 and 20, of the printed bill, strike out "manufacturer or"; strike out the comma after "producer"; strike out "jobber or wholesale merchant".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, lines 25 to 27, of the printed bill, strike out "any distributor, or"; strike out "manufacturer or"; strike out the comma after "producer"; strike out the comma after "broker"; strike out "jobber or wholesale merchant".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 28, of the printed bill, strike out the word "permit", and insert in lieu thereof the word "license".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 33, of the printed bill, strike out "3", and insert in lieu thereof "4".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 51, of the printed bill, after "second", insert "calendar".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 3, of the printed bill, after "delinquency," add "In the event that any distributor is delinquent in the payment of his license tax hereunder, the controller may give notice of the amount of such delinquency by registered mail to all persons having in their possession, or under their control, any credits or other personal property belonging to such distributor, or owing any debts to such distributor, at the time of receipt by them of such notice, and thereafter any person so notified shall neither transfer nor make other disposition of such credits, other

personal property or debts until the controller shall have given his consent to a transfer or disposition, or until twenty days shall have elapsed from and after the receipt of such notice. All persons so notified must, within five days after receipt of such notice, advise the controller of any and all such credits, other personal property or debts, in their possession, under their control or owing by them, as the case may be."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 4, line 11, of the printed bill, insert a comma after "seized".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 9, of the printed bill, strike out "4", and insert in lieu thereof "5"; strike out "1925", and insert in lieu thereof "1923".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 26, of the printed bill, strike out "petroleum", and insert in lieu thereof "kerosene".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 27, of the printed bill, after "gasoline", strike out "or", and insert in lieu thereof "and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 37, of the printed bill, strike out the word "for", after "representatives.", insert: "Upon demand of said board or its representatives every distributor must furnish a statement under oath reflecting the contents of any records to be kept under this section."

Every producer must keep a true and accurate record in such form as the state board of equalization may prescribe of all manufacture and distribution of casing-head gasoline, kerosene distillate and other petroleum products used in, or which may be used in, the blending, compounding or manufacturing of motor vehicle fuel, and every broker must likewise keep a true and accurate record of all purchases of such petroleum products in such manner as to disclose the vendor, the quantity purchased, the correct description of the commodity and the means of transportation to said broker, as well as all of the sales of such petroleum products in such manner as to disclose the vendee, the quantity sold, the correct description of the commodity and the means of transportation from said broker to the vendee. All such records required by this section must be available at all times for the inspection of said board or its representatives, who may require a statement under oath reflecting the contents thereof."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 38, of the printed bill, strike out "5", and insert in lieu thereof "6".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 25, of the printed bill, strike out the comma after "roll".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 27, of the printed bill, strike out "same", and insert in lieu thereof "amount of the license tax assessed against each distributor".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6, line 28, of the printed bill, strike out "tax", and insert in lieu thereof "assessment"; strike out the comma after "controller", and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 6, line 29, of the printed bill, insert:

"SEC. 7. Section 7 of chapter 287, statutes of 1923, as amended by chapter 359, statutes of 1925, is hereby amended to read as follows:

Sec. 7. All motor vehicle fuel distributed by any distributor to any of its service stations, or other agencies, tank trucks, wagons, boats, barges, or other facilities operated by such distributor in this state shall for the purposes of this act be considered in the same manner and the same license tax shall be paid upon such motor vehicle fuel as though the same had been sold and delivered by such distributor; *provided*, that the amount of motor vehicle fuel distributed during any calendar month to any such agency, tank truck, wagon, boat, barge, or other facility operated by the distributor is hereby defined to mean the amount thereof thereafter found to have been sold and delivered therefrom during such month plus one ninety ninth thereof but excluding therefrom deliveries to service stations operated by such distributor.

All motor vehicle fuel used by a distributor in the operation of any motor vehicle shall for all the purposes of this act be considered in the same manner and the same license tax shall be paid upon such motor vehicle fuel as though the same had been sold by such distributor; *provided, however*, that in lieu of the collection and refund of the tax upon such fuel used for exempt purposes a credit may be given such distributor upon his tax return and assessment.

Nothing in this act shall be construed as requiring the payment of the license tax herein specified upon more than one sale, distribution or transfer of the same motor vehicle fuel."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 6, line 30, of the printed bill, strike out "6", and insert in lieu thereof "8"; insert after "1923," the following: "as amended by chapter 48, statutes of 1929."

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 7, line 13, of the printed bill, strike out "7", and insert in lieu thereof "9".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 7, lines 22 and 23, of the printed bill, strike out "or sold for exportation and exported for use outside this state", and insert in lieu thereof "from this state by the distributor or delivered by the distributor to any vessel clearing from a port of this state for a port outside of this state and actually exported from this state in such vessel."

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 7, line 30, of the printed bill, strike out "export sales", and insert in lieu thereof "the exportation of motor vehicle fuel".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 7, line 31, of the printed bill, strike out "secure", and insert in lieu thereof "execute".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 7, line 33, of the printed bill, strike out the word "executed", and insert in lieu thereof "made".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 7, line 37, of the printed bill, after "require.", insert the following: "All export certificates must be completed and on file in the principal office of the distributor in this state within forty-five days after the close of the calendar month in which the shipments to which they relate are made, and no certificate not completed and filed within such period shall be recognized for any purpose by the State of California or any agency thereof."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 7, line 39, of the printed bill, strike out "is", and insert in lieu thereof "are".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 7, following line 48, of the printed bill, add a new paragraph to read as follows:

"SEC. 10. Section 11 of chapter 267, Statutes of 1923, as amended by chapter 716, Statutes of 1927, is hereby amended to read as follows:

Sec. 11. Any person, firm, association or corporation who shall buy and use any motor vehicle fuel for purposes other than in motor vehicles operated, or intended to be operated, upon the public highways of the State of California or export the same for use outside of this state; also any person, firm, association or corporation who shall buy any motor vehicle fuel and use the same exclusively in the transportation of rural free delivery mails, and who shall have paid any license tax for such motor vehicle fuel hereby required to be paid, either directly or to the vendor from whom it was purchased, or indirectly by the adding of the amount of such license tax to the price of such fuel, shall be reimbursed and repaid the amount of such license tax paid by him or it upon presenting to the state controller an affidavit supported by the original invoice or invoices showing such purchase, which affidavit shall be verified by the oath of the claimant and shall state the total amount of such fuel so purchased and that the same has been used by said consumer for the transportation of rural free delivery mails or for uses other than in motor vehicles operated upon any of the public highways in the State of California; *provided, however*, that any motor vehicle fuel carried from this state in the fuel tank of a motor vehicle shall not be considered as exported from this state. The state controller, upon the presentation of such an affidavit and such invoice or invoices shall cause to be paid to such claimant, from the license taxes collected in accordance with the provisions of this act, an amount equal to the license taxes collected hereunder on such motor vehicle fuel; *provided, however*, that the state controller shall have the right if he so desires, in order to establish the validity of any claim, to examine the books and records of the claimant for such purpose and the failure upon the part of the claimant to accede to such demand shall constitute a waiver of all right to the refund claimed on the account of the transactions questioned. Such examination may be made either through employees of the office of the state controller or of the office of the state board of equalization. All such applications for refund based upon exportation of motor vehicle fuel from this state must be filed with the state controller within forty-five days from the date of exportation; all other applications shall be filed within twelve months from the date of the purchase of such motor vehicle fuel. Any application filed after the times herein prescribed shall not be considered for any purpose by the state controller, the state treasurer or the State of California."

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 8, line 1, of the printed bill, strike out "8", and insert in lieu thereof "11".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 8, line 14, of the printed bill, insert a comma after "power", and insert a comma after "authorized".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 8, line 25, of the printed bill, strike out "9", and insert in lieu thereof "12".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 8, line 25, of the printed bill, strike out "266", and insert in lieu thereof "267".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 8, lines 34 and 35, of the printed bill, after "amounts", insert "heretofore or hereafter"; after "Legislature" strike out "from time to time".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 8, line 39, of the printed bill, strike out "use in abatement thereof", and insert in lieu thereof "offset against said amounts".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 8, line 44, of the printed bill, after "fund", insert the following: ", together with the amount of the registration fees credited to said fund under section 2 of this act,".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 9, lines 13 and 14, of the printed bill, strike out "thousands", and insert in lieu thereof "thousand".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 9, line 30, of the printed bill, insert "fund," after "road".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 9, line 32, of the printed bill, strike out "May and November", and insert in lieu thereof "January, April, July and October".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 9, lines 33 and 34, of the printed bill, strike out "treasurer shall make a report to the state controller setting forth", and insert in lieu thereof "controller shall ascertain".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 9, lines 35 and 36, of the printed bill, strike out "herein provided for the preceding six months", and insert in lieu thereof "for which provision is made in section 11 of this act during the preceding three months".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 9, line 48, of the printed bill, strike out "account", and insert in lieu thereof "amount".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 10, line 15, of the printed bill, after "reconstruction", insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 10, line 20, of the printed bill, strike out "10", and insert in lieu thereof "13".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 10, line 21, of the printed bill, at the beginning thereof, strike out "amended", and insert in lieu thereof "added"; strike out "532", and insert in lieu thereof "552".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 10, line 32, of the printed bill, strike out "11", and insert in lieu thereof "14"; and after "1923", insert "as amended by chapter 359, statutes of 1925".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 10, lines 46 and 47, of the printed bill, strike out "manufacturer," and insert in lieu thereof "or"; after "broker", strike out ", jobber or wholesale merchant".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 10, line 49, of the printed bill, strike out "12", and insert in lieu thereof "15".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 11, line 5, of the printed bill, after "interstate", insert "or foreign".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 11, line 13, of the printed bill, after "interstate", insert "or foreign".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 11, line 23, of the printed bill, after "be", insert "the cargo of one vessel, or".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 11, line 27, of the printed bill, strike out "13", and insert in lieu thereof "16".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 11, line 40, of the printed bill, strike out "14", and insert in lieu thereof "17".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 11, line 48, of the printed bill, strike out "15", and insert in lieu thereof "18".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 676—An act to amend "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 26, 1927, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "amend", insert "sections 2 and 3 of chapter 795, statutes of 1927, entitled".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 4 of the title of the printed bill, after "taxes", insert "and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes,'".

Amendment adopted.

AMENDMENT NUMBER THREE.

In lines 6 and 7 of the title of the printed bill, after "herewith," strike out " " approved May 26, 1927, as amended," and insert in lieu thereof: "approved May 30, 1923, as amended and approved May 23, 1925," as amended by chapter 208, statutes of 1929, and providing that this act shall take effect immediately."

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 1 of the printed bill, after "SECTION 1." insert "Section 2 of chapter 795, statutes of 1927, is hereby amended to read as follows:

Sec. 2. All moneys so credited to said state highway construction fund shall be allocated and expended by the department of public works, division of highways, for the acquisition of rights of way for and the construction and improvements of state roads and highways in accordance with that certain act entitled, "An act to provide for the acquisition of rights of way for and the construction, maintenance and improvement of state highways, classifying the highways in the state system and allocating and directing the expenditure of funds for the construction, maintenance and improvement of state highways," passed at the forty-seventh session of the Legislature or as subsequently amended. All money withdrawn from the state highway construction fund shall be upon warrants drawn by the state controller upon demands made by the department of public works, division of highways, and allowed and audited by the state board of control of this state; *provided, however,* that the department of public works, division of highways, may, without at the time furnishing vouchers and itemized statements, draw from the state highway construction fund, a sum not to exceed two hundred thousand dollars. The sum or sums so drawn may be used as a revolving fund where cash advances are necessary."

Amendment adopted.

AMENDMENT NUMBER FIVE.

In lines 1 to 7 of the printed bill, strike out "Section 3 of "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts, and parts of acts inconsistent herewith," approved May 26, 1927, as amended," and insert in lieu thereof:

"Sec. 2. Section 3 of chapter 795, statutes of 1927, as amended by chapter 208, statutes of 1929,".

Amendment adopted.

AMENDMENT NUMBER SIX.

In lines 9 and 10 of the printed bill, strike out "and all amendments thereto made hereafter".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

In line 11 of the printed bill, substitute a period for the comma after "act".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

In lines 11, 12 and 13 of the printed bill, strike out "notwithstanding a subsequent repeal of said "original act" hereafter".

Amendment adopted.

AMENDMENT NUMBER NINE.

In line 14 of the printed bill, strike out "2", and insert in lieu thereof "3".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 147—An act to validate the organization and existence of municipal improvement districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 148—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such

issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 149—An act to validate the organization and existence of municipal utility districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 154—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 493—An act to amend section 1 of chapter 234, Statutes of 1913, entitled "An act authorizing and empowering any city or county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose," approved June 5, 1913, Statutes of 1913, page 388, to authorize counties, cities and counties and cities to acquire property to be granted to the State of California by purchase or proceedings in eminent domain.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 181—An act to amend sections 52 and 67 of the California Irrigation District Act, relating to the redemption or purchase of bonds and payment of interest, and to the creation of funds.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 24, of the printed bill, strike out the word "shall", and strike out all of line 25, and insert in lieu thereof the following: "may cancel the bonds so purchased or hold the same as a part of its assets until such".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 157—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest of such bonds.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 27, of the printed bill, after the period, insert the following: "This act shall not be construed to validate any bonds which may have heretofore been declared void by final decree of court."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 198—An act to repeal section 32½ of the California Irrigation District Act, relating to election on sale of bonds at less than par.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 199—An act repealing chapter 289, Statutes of 1919, entitled "An act to authorize irrigation districts to refund outstanding bonded indebtedness," approved May 25, 1919.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 200—An act to repeal chapter 254, Statutes of 1897, entitled "An act to provide for the issue and sale or exchange of funding bonds of irrigation districts organized under and in pursuance of an act of the Legislature of the State of California entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 202—An act to amend section 39 of the California Irrigation District Act, relating to the levying of assessments.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 203—An act to amend section 6 of the California Irrigation District Act, relating to election on organization.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 278—An act to repeal chapter 341, Statutes of 1919, entitled "An act to be known as 'The California Irrigation Act,' providing for cooperation between the State of California and the United States, and independent proceedings, in the storage and diversion of water, the distribution thereof for irrigation and other beneficial uses and purposes, the generation and manufacture of electric power; creating an Irrigation Board, and providing for the formation of irrigation districts and conservation districts, and the conversion of irrigation districts, reclamation districts, drainage districts and other

political subdivisions of the State organized for the purpose of promoting irrigation, reclamation and drainage, into irrigation districts under this act; and empowering said Irrigation Board to make and approve contracts and agreements, to construct reservoirs and other works, divert, distribute and sell water and lease and sell water rights, and generate, lease and sell electric power, to apportion to the constituent units of conservation districts the water and electric power to be produced and generated by conservation district works, to levy assessments, and issue bonds of irrigation districts and conservation districts; providing for the management, control and supervision of such irrigation districts and conservation districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; and generally providing a policy relating to the storage, diversion and use of water and the manufacture or generation of electric power, and adopting a plan for providing revenues therefor; and repealing the California Irrigation Act, approved June 4, 1915, and chapter 646 of the Statutes of 1917, approved May 28, 1917, amendatory thereof," approved May 16, 1919.

Bill read second time, ordered engrossed, and on file for third reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1864—An act making an appropriation to meet the deficiency in the appropriation for the mileage of members of the Assembly for the eighty-first and eighty-second fiscal years.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 836—An act to amend section 2.1220 of the School Code, relating to reports by school superintendents to the Superintendent of Public Instruction and to county boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 836 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagye, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 838—An act to amend sections 5.611 and 5.616 of the School Code, relating to the payment of expenses of holding teachers' institutes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 838 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter,

Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 841—An act to amend section 4.440, and to repeal section 4.441 and article II, embracing sections 4.450 to 4.455, both inclusive, of chapter III of part III of division IV of the School Code, all relating to kindergarten funds of elementary school districts and taxes thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 841 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 72—An act creating a game refuge to be known as the Huntington Lake Game Refuge, providing for the conservation and protection of game within such district, and providing penalties for violation of the act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 72 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 507—An act to amend section 626 of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 507 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 752—An act to amend section 626c of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 752 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Swing, Waggy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 166—An act to amend sections 3197 and 3198 of the Political Code, relating to trade-marks.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 167—An act to amend section 991 of the Civil Code, relating to trade-marks.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 311—An act to add a new section to part II, title Xa, chapter 2 of the Code of Civil Procedure, to be known as section 831j, relating to the force and effect of proceedings and judgments of municipal courts.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1864—An act making an appropriation to meet the deficiency in the appropriation for the mileage of members of the Assembly for the eighty-first and eighty-second fiscal years, and declaring the urgency thereof.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State, it is hereby declared an urgency measure and shall, under the provisions of article IV, section 1 of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

Ayes—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Waggy, Williams, and Young—29.

Noes—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1864 passed by the following vote:

Ayes—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Waggy, Williams, and Young—29.

Noes—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Constitutional Amendment No. 3—Proposed amendment to article IV of the constitution, relative to filing of initiative or referendum petition.

COMMITTEE AMENDMENTS.

During the reading of Senate Constitutional Amendment No. 3, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed constitutional amendment, insert after "relating to", the following: "the submission of drafts of initiative and referendum measures to the attorney general, and to".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 43, of the printed constitutional amendment, strike out "the proponents and opponents thereof", and insert in lieu thereof the following: "those in favor of, and those opposed to, it".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, between lines 5 and 6, of the printed constitutional amendment, insert the following paragraph:

"Prior to circulation of any initiative or referendum petition for signatures thereof, a draft of the said petition shall be submitted to the attorney general with a written request that he prepare a title and summary of the chief purpose and points of said proposed measure, said title and summary not to exceed one hundred words in all. The persons presenting such request to the attorney general shall be known as 'proponents' of said proposed measure. The attorney general shall preserve said written request until after the next general election."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 7, of the printed constitutional amendment, insert after "proponents", the following: "as defined herein".

Amendment adopted.

Senate Constitutional Amendment No. 3 ordered to print, and re-referred to Committee on Elections.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Jones moved to reconsider the vote whereby Senate Bill No. 56 was refused passage.

POSTPONEMENT OF MOTION TO RECONSIDER.

Senator Jones then moved to have his motion to reconsider the vote whereby Senate Bill No. 56 was refused passage, postponed until the next legislative day.

Motion carried, and such was the order.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 5, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 to 5.1490, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers, the State of California and school districts for the operation and maintenance of said system; and to repeal part IV of division

V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and bill be printed, and be re-referred to this Committee on Education.

Committee membership—13; committee vote: Ayes—8; absent—5.

SLATER, Chairman.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED SIXTY.

Senate Bill No. 260—An act to add a new part to division V of the School Code, to be known as part VI, embracing sections 5.1200 to 5.1490, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers, the State of California and school districts for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the number "5.1490", and insert in lieu thereof the number "5.1470".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill, strike out the second comma, and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 7 of the title of the printed bill, strike out the following: "and school districts".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, after the word "any", insert the word "public".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 6, of the printed bill, after the word "elected", insert the following: "school district".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 15, of the printed bill, after the word "teacher", insert the following: "or certificated employee".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 17, of the printed bill, strike out the word "education", and insert in lieu thereof the word "educational".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 20, of the printed bill, beginning in said line 20, strike out the following: "librarians employed for more than two hours a day in any elementary, high school or junior college", and insert in lieu thereof the following: "nurses, attendance officers and librarians employed in any elementary, high school, junior college or teachers' college and any county superintendent of schools and such of his assistants as are certificated and not serving solely in clerical capacities, the state superintendent of public instruction, and any certificated deputy or assistants who are not serving solely in clerical capacities and who are not under any other state retirement system and all other persons who are included as members under the former state fund".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 22, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 28, of the printed bill, strike out the word "trustees" and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 35, of the printed bill, strike out the following: "(3)", and insert in lieu thereof the number "5.1203".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 7, of the printed bill, beginning in said line 7, strike out the following: "but in the case of a member who also participates in a local fund it may exclude that part of the compensation paid from funds contributed by the local district as provided under chapter XI of this part".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 15, of the printed bill, beginning in said line 15, strike out the following: "or any political subdivision thereof".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 28, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 33, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 36, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 4, of the printed bill, strike out the second word "the", and insert in lieu thereof the word "a".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 4, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 18, of the printed bill, beginning in said line 18, strike out the following: "except those specifically excluded under section 5.1243,".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 4, line 21, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "provided, that teachers who are required by law to become members of a local fund may select the option provided for in section 5.1243 upon becoming members of the state retirement system."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 23, of the printed bill, beginning in said line 23, strike out the following: "except those specifically excluded under section 5.1243".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 26, of the printed bill, beginning in said line 26, strike out the following: "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 31, of the printed bill, after the period insert the following: "Teachers who have been contributing to the former state fund may have the option of becoming members of the new retirement system on the same financial basis as that provided for in the law prevailing before the passage of this act, contributing twelve dollars per year and receiving a total retirement salary of five hundred dollars."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 33, of the printed bill, after the word "any", insert in lieu thereof the word "local".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 34, of the printed bill, beginning in said line 34, strike out the following: "operated for the retirement of teachers by city, county or other political subdivision of the State of California shall not be entitled to membership in this retirement system except as provided in chapter XI of this part.", and insert in lieu thereof the following: "may have the further option of entering partially into the state retirement system, contributing to the annuity provided for in section 5.1262 (a) on the basis of that portion of the earnable compensation that is received from state funds, and receiving in addition to their annuity the pension provided for in section 5.1262 (b) and (c)."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 4, line 44, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 1, of the printed bill, after the word "member", insert the following: "in any period of six consecutive years after last becoming a member be absent for more than five years or should he".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 7, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 7, of the printed bill, after the word "adopt", insert a comma.

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 5, line 8, of the printed bill, strike out the following: "during the year immediately", and insert in lieu thereof the following: "within five years".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 5, line 14, of the printed bill, strike out the period and insert the following: "and service in the military or naval forces of the United States. The board of retirement, may in its discretion, extend the periods within which a person may become a member and file such statement beyond the first year of operation of the retirement system or in its judgment the conditions are such as to make such change to the advantage of the state educational system."

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 5, line 15, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 5, line 19, of the printed bill, after the period insert the following: "Time during which a member was absent from service without pay shall not be allowed in computing service".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 5, line 20, of the printed bill, strike out the word "year", and insert in lieu thereof the word "term".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 5, line 21, of the printed bill, after the period insert the following: "Service in state supported public residential schools for the deaf and state supported public residential schools for the blind outside of California of teachers employed in the California School for the Deaf and the California School for the Blind and in special classes maintained in the public schools of this state for the instruction of the deaf, the hard of hearing, the blind or the semisighted shall be reckoned on the same basis as experience in public day or evening schools outside of California in determining the right to retirement salary under the provisions of this part."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 5, line 23, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 5, line 24, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 5, line 27, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 5, line 28, of the printed bill, strike out the word "length", and insert in lieu thereof the following: "nearest number of years and months".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 5, line 32, of the printed bill, strike out the period, and insert in lieu thereof the following: "but within the United States, its territories and possessions and within countries adjacent to the United States and in the military or naval forces of the United States during the period of war with any foreign powers."

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 5, line 36, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 5, line 39, of the printed bill, strike out the word "the", and insert in lieu thereof the word "such".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 5, line 39, of the printed bill, strike out the words "such teachers", and insert in lieu thereof the word "he".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 5, line 47, of the printed bill, following said line 47, insert the following: "5,1255. Any teacher who has been out of service for two years prior to the passage of this act must remain in service at least two years before becoming eligible to its benefits."

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 5, line 50, of the printed bill, strike out the word "Benefit", and insert in lieu thereof the word "Allowance".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 5, line 51, of the printed bill, after the word "service", insert a comma and the following: "or any member who has been absent from service for more than two years".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 5, line 52, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 6, line 2, of the printed bill, after the word "thereof", insert a comma.

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 6, line 4, of the printed bill, after the word "retirement", insert the following: "or at the time of leaving service".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 6, line 5, of the printed bill, beginning in said line 5, strike out the following: "and notwithstanding that during such period of notification he may have separated from service."

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 6, line 10, of the printed bill, beginning in said line 10, strike out the following: "except that a", and strike out all of lines 11 to 15 inclusive, and insert in lieu thereof a comma and the following: "*provided, however,* that nothing in this part shall apply to the age of a county superintendent of schools elected by the people of the State of California, or a city, or a district superintendent of schools of any schools elected for a four-year term under the terms of any contract allowed by this code."

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 6, line 27, of the printed bill, after the period insert the following: "Notwithstanding the provisions of subdivisions (b) and (c) of this section, any member retiring before the attainment of age fifty-eight shall receive a reduced pension, or pensions, which shall be the actual equivalent in the age of the member of the pension, or pensions, to which he would be entitled had he attained age fifty-eight."

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 6, line 29, of the printed bill, strike out the word "Benefit", and insert in lieu thereof the word "Allowance".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 6, line 30, of the printed bill, after the word "service", insert the following: "or within two years after leaving service, if disabled at the time of leaving service,".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 6, line 31, of the printed bill, after the word "employer", insert a comma.

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 6, line 32, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 6, line 33, of the printed bill, strike out the word "nor", and insert in lieu thereof the word "not".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 6, line 42, of the printed bill, beginning in said line 42, strike out the following: "or if he has completed thirty years of accredited service. Otherwise", and insert in lieu thereof the following: "otherwise".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 6, line 44, of the printed bill, after the word "of", insert a colon.

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 7, line 1, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 7, line 6, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 7, line 9, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 7, line 13, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 7, line 15, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 7, line 19, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 7, line 29, of the printed bill, after the period insert the following: "A beneficiary restored to active service at a salary less than the compensation at the time of his last retirement shall not become a member of the retirement system."

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 7, line 34, of the printed bill, beginning in said line 34, strike out the comma and the following: "and he shall contribute thereafter at the same rate as he paid prior to disability."

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 7, line 36, of the printed bill, after the word "anything" insert "in this part".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 7, line 44, of the printed bill, after the word "or", insert the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 7, line 51, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 8, line 2, of the printed bill, after said line 2, insert the following: "5.1282. In case a member or a beneficiary under this part, shall die intestate or without designating a beneficiary, as herein provided, and the total amount which would be payable to the legal representative of the decedent, is less than two hundred fifty dollars, then the board of retirement shall be authorized to pay in its discretion such sum to the surviving husband or wife, or the guardian of the estate of any insane or incompetent husband or wife, or if no husband or wife is living, then the children or the guardian of the estates of any minor or insane or incompetent children of said deceased, or, if no children are living, then the father or mother or the guardian of the estate of any insane or incompetent father or mother of such decedent, and if neither the mother nor father is living, then the brothers and sisters or the guardian of the estates of any minor or insane or incompetent brothers and sisters of such decedent, and payment to any such person shall constitute a final settlement of all claims on account of the decedent."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 8, line 19, of the printed bill, strike out the word "trustees" and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 8, line 21, of the printed bill, after the word "of", insert a comma.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 8, line 21, of the printed bill, after the word "to", insert a comma.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 8, line 23, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 8, line 26, of the printed bill, after the word "to", insert a comma.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 8, line 28, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 8, line 35, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 8, line 44, of the printed bill, strike out the Roman numeral "V", and insert in lieu thereof the Roman numeral "VI".

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 8, line 48, of the printed bill, strike out the word "trustees", and insert the word "retirement".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 9, line 5, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "ex officio,".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 9, line 6, of the printed bill, after the word "finance", insert a comma.

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 9, line 7, of the printed bill, after the word "an", insert the following: "officer or".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 9, line 7, of the printed bill, after the word "state", insert a comma.

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 9, line 18, of the printed bill, after the word "elected", insert the following: "by the members in a manner prescribed".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 9, line 29, of the printed bill, strike out the word "develops", and insert in lieu thereof, the word "devolves".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 9, line 38, of the printed bill, after the period, insert the following: "The board of retirement shall meet at least once every three months."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 9, line 40, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 9, line 43, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 9, line 48, of the printed bill, strike out the word "engaged", and insert in lieu thereof, the following: "employed or appointed".

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 9, line 49, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 9, line 51, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 10, line 1, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 10, line 5, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 10, line 7, of the printed bill, after the word "January", insert the following: "of each year".

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX.

On page 10, line 15, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER NINETY-SEVEN.

On page 10, line 16, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER NINETY-EIGHT.

On page 10, line 24, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER NINETY-NINE.

On page 10, line 27, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED.

On page 10, line 27, of the printed bill, strike out the word "designate", and insert in lieu thereof, the word "employ".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 10, line 28, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 10, line 36, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THREE.

On page 10, line 37, of the printed bill, strike out the word "trustees", and insert in lieu thereof, the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FOUR.

On page 10, line 39, of the printed bill, after the figure "(b)", strike out the comma, and insert in lieu thereof, the word "of".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIVE.

On page 10, line 39, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIX.

On page 10, line 49, of the printed bill, after the word "system", strike out the comma.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVEN.

On page 10, line 49, of the printed bill, after the word "and", insert a comma.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHT.

On page 10, line 50, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINE.

On page 10, line 52, of the printed bill, after the semicolon, insert the word "and".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TEN.

On page 11, line 2, of the printed bill, strike out the word "employers", and insert in lieu thereof the following: "State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ELEVEN.

On page 11, line 3, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWELVE.

On page 11, line 5, of the printed bill, after the third word "the", insert the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTEEN.

On page 11, line 6, of the printed bill, strike out the word "act", and insert the word "part".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FOURTEEN.

On page 11, line 9, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTEEN.

On page 11, line 10, of the printed bill, strike out the word "act", and insert in lieu thereof the word "part".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTEEN.

On page 11, line 10, of the printed bill, after the Roman numeral "VIII", insert the word "thereof".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTEEN.

On page 11, line 21, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTEEN.

On page 11, line 25, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETEEN.

On page 11, line 29, of the printed bill, strike out the word "employers", and insert in lieu thereof the following: "State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY.

On page 11, line 31, of the printed bill, strike out the word "employers", and insert in lieu thereof the following: "State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-ONE.

On page 11, line 35, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-TWO.

On page 11, line 36, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-THREE.

On page 11, line 39, of the printed bill, strike out the word "vouchers", and insert in lieu thereof the word "voucher".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-FOUR.

On page 11, line 44, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-FIVE.

On page 11, line 44, of the printed bill, strike out the words "available cash", and insert in lieu thereof the following: "a sum".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-SIX.

On page 12, line 2, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-SEVEN.

On page 12, line 4, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-EIGHT.

On page 12, line 8, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWENTY-NINE.

On page 12, line 9, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY.

On page 12, line 11, of the printed bill, after the word "loaned", insert the word "to".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-ONE.

On page 12, line 11, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-TWO.

On page 12, line 31, of the printed bill, strike out the period and insert in lieu thereof a comma and the following: "*provided*, that in the case of a member who contributes to a local fund and who has elected to participate partially in the state retirement fund as provided in section 5.1243, the amount to be deducted shall be four per centum of that part of the earnable compensation that is received from state funds; *and, provided*, that a deduction of twelve dollars per year shall be made from the salaries of members who have elected to continue on the financial basis of the former state fund as provided in section 5.1242."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-THREE.

On page 12, line 33, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-FOUR.

On page 13, line 1, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-FIVE.

On page 13, line 31, of the printed bill, strike out the following: "employers and the state", and insert in lieu thereof the following: "State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-SIX.

On page 13, line 34, of the printed bill, strike out the word "follows", and insert in lieu thereof the following: "hereinafter provided".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-SEVEN.

On page 13, line 50, of the printed bill, strike out the word "employers", and insert in lieu thereof the following: "the State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-EIGHT.

On page 14, line 10, of the printed bill, strike out the first word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THIRTY-NINE.

On page 14, line 10, of the printed bill, strike out the second word "trustees" and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY.

On page 14, line 26, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-ONE.

On page 14, line 31, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-TWO.

On page 14, line 42, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-THREE.

On page 15, line 9, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-FOUR.

On page 15, line 16, of the printed bill, beginning with said line 16, strike out the following: "and benefits provided under section 5.1300 shall be paid from the pension accumulation fund".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-FIVE.

On page 15, line 44, of the printed bill, strike out the word "employers", and insert in lieu thereof the following: "the State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-SIX.

On page 15, line 48, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-SEVEN.

On page 15, line 52, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-EIGHT.

On page 15, line 52, of the printed bill, after the word "superintendent", insert the following: "of public instruction".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FORTY-NINE.

On page 16, line 1, of the printed bill, after the Roman numeral "X", insert the following: "of this part".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY.

On page 16, line 5, of the printed bill, strike out the word "employers", and insert in lieu thereof the following: "the State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-ONE.

On page 16, line 6, of the printed bill, strike out the period and insert in lieu thereof the following: "and such amounts so borrowed shall be returned from the first succeeding appropriation."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-TWO.

On page 16, line 11, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-THREE.

On page 16, line 19, of the printed bill, strike out the word "notwithstanding", and insert in lieu thereof the word "notwithstanding".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-FOUR.

On page 16, line 24, of the printed bill, after the word "payment", insert the word "thereof".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-FIVE.

On page 16, line 29, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-SIX.

On page 16, line 30, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-SEVEN.

On page 16, line 34, of the printed bill, strike out the first word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-EIGHT.

On page 16, line 34, of the printed bill, strike out the second word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIFTY-NINE.

On page 17, line 2, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY.

On page 17, line 4, of the printed bill, strike out the first word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-ONE.

On page 17, line 4, of the printed bill, strike out the second word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-TWO.

On page 17, line 8, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-THREE.

On page 17, line 11, of the printed bill, strike out the following: "amount of the state school fund", and insert in lieu thereof the word "moneys".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-FOUR.

On page 17, line 12, of the printed bill, strike out the period, and insert in lieu thereof the following: "from state and/or county funds."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-FIVE.

On page 17, line 13, of the printed bill, strike out the following: "collection of employers'".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-SIX.

On page 17, line 13, of the printed bill, after the word "contributions", insert the following: "by the State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-SEVEN.

On page 17, line 16, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-EIGHT.

On page 17, line 18, of the printed bill, beginning with said line 18, strike out the following: "all employers", and insert in lieu thereof the following: "the State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SIXTY-NINE.

On page 17, line 21, of the printed bill, strike out the period, and insert in lieu thereof the following: "of this part."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY.

On page 17, line 26, of the printed bill, strike out the following: "each employer", and insert in lieu thereof the following: "the State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-ONE.

On page 17, line 26, of the printed bill, beginning with said line 26, strike out the word "The", and strike out all of lines 27 to 33, inclusive.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-TWO.

On page 17, line 37, of the printed bill, strike out the word "school", and insert in lieu thereof the word "general".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-THREE.

On page 17, line 37, of the printed bill, beginning in said line 37, strike out the following: "or from any other moneys payable to the", and strike out all of lines 38 to 50, inclusive, and insert in lieu thereof the following: "the amount so certified, as required under this part, and such amounts are hereby appropriated as recurring annual appropriations from the state general fund."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FOUR.

On page 18, line 1, of the printed bill, beginning with said line 1, strike out all of lines 1 to 52, inclusive.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-FIVE.

On page 19, line 1, of the printed bill, beginning with said line 1, strike out all of lines 1 to 52, inclusive.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SIX.

On page 20, line 1, of the printed bill, beginning with said line 1, strike out all of lines 1 to 38, inclusive.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-SEVEN.

On page 20, line 39, of the printed bill, strike out the Roman numeral "XIII", and insert in lieu thereof the Roman numeral "XI".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-EIGHT.

On page 20, line 41, of the printed bill, strike out the number "5.1450", and insert in lieu thereof the number "5.1430".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED SEVENTY-NINE.

On page 20, line 47, of the printed bill, strike out the Arabic numeral "8", and insert in lieu thereof the Roman numeral "VIII".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY.

On page 20, line 49, of the printed bill, strike out the word "employers", and insert in lieu thereof the following: "the State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-ONE.

On page 20, line 52, of the printed bill, strike out the words "said employers", and insert in lieu thereof the following: "the State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-TWO.

On page 21, line 2, of the printed bill, strike out the word "employers", and insert in lieu thereof the following: "State of California".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-THREE.

On page 21, line 5, of the printed bill, after said line 5, insert the following: "5.1451. Notwithstanding anything to the contrary in this part, all pensions payable to teachers retired prior to the date of the establishment of the retirement system and that portion of the pensions of members entitled to credit for prior service which is payable on account of prior service shall be paid from appropriations, made for this purpose, to cover the payments as they mature and no provision for the liability on account of these pensions need be made by the actuary in the accrued liability contribution rate previously described. An appropriation to cover the maturing pensions referred to in this section shall be included in the request for appropriations required for the pension accumulation fund. No reserves are to be established for the payment of pensions referred to in this section and no reserves otherwise established under the provisions of this part are to be used for the payment of pensions referred to in this section but the payment of such pensions is guaranteed by the state."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FOUR.

On page 21, line 7, of the printed bill, strike out the Roman numeral "XIV", and insert in lieu thereof the Roman numeral "XII".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-FIVE.

On page 21, line 8, of the printed bill, strike out the number "5.1460", and insert in lieu thereof the number "5.1440".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SIX.

On page 21, line 17, of the printed bill, strike out the Roman numeral "XV", and insert in lieu thereof the Roman numeral "XIII".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-SEVEN.

On page 21, line 18, of the printed bill, strike out the number "5.1470", and insert in lieu thereof the number "5.1450".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-EIGHT.

On page 21, line 26, of the printed bill, strike out the word "trustees", and insert in lieu thereof the word "retirement".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED EIGHTY-NINE.

On page 21, line 31, of the printed bill, strike out the Roman numeral "XVI", and insert in lieu thereof the Roman numeral "XIV".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY.

On page 21, line 33, of the printed bill, strike out the number "5.1480", and insert in lieu thereof the number "5.1460".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-ONE.

On page 21, line 40, of the printed bill, strike out the Roman numeral "XVII", and insert in lieu thereof the Roman numeral "XV".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED NINETY-TWO.

On page 21, line 42, of the printed bill, strike out the number "5.1490", and insert in lieu thereof the number "5.1470".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Education.

ADJOURNMENT.

At twelve o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, March 9, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Monday, March 9, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 6, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Deuel was, on motion of Senator Rich, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. R. H. Mowbray of Oakland, and Mrs. Robert P. Easley of Antioch.

On request of Senator Allen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Charles E. Johnson, attorney, from Siskiyou County, and Mrs. Charles E. Johnson.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Thomas Mullen of San Francisco.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. J. M. Paige of Pomona.

On request of Senators Inman and Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the East Nicolaus high school, Principal Willard C. Taylor, and students as follows: John Peter, Hobert Corliss, Melvin Regli, Fred Swanson, Pearl Harder, Virginia Hayes, Marjorie Chapman, C. A. Scheiber, Joe Peter, Gertrude Johnson, Cathryn B. Worth, Irene Gothard, Anna Swanson, Roderick Wilson, Frances Barta, Dorothy Kevan, Melvin Linggi, Rodney W. McWilliam, Albert Michel, Carlin Coppin, Irvin Kevan, Julia Elorduy, Margaret E. Kirksey, Helen Huntley, Rose Blattman, Carl J. Scheiber, Marie May, Vada Baren, Alice Schwall, Marjorie Engasser, Margaret May and Margaret Bell.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 141—An act to amend the title of and to revise chapter 577, Statutes of 1919, entitled "An act to provide for the certification of potato seed, authorizing the State Commissioner of Horticulture to employ a Potato Inspector and to fix his salary, declaring the violation of the provisions hereof to be a misdemeanor and making an appropriation to carry out the purposes hereof," approved May 27, 1919, relating to the State Department of Agriculture and the growing of potatoes and the inspection and certification thereof:

Also: Assembly Bill No. 399—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of providing official documents;

Also: Assembly Bill No. 492—An act to add a new section to the Political Code, to be numbered 3881a, to authorize the county auditor to enter corrections on the county assessment book;

Also: Assembly Bill No. 498—An act to amend section 909 of the Political Code, relating to the filing of oaths of office;

Also: Assembly Bill No. 1358—An act to amend section 542 of the Code of Civil Procedure, relating to the method of levying an attachment upon real or personal property;

Also: Assembly Bill No. 47—An act to amend section 4075 of the Political Code of the State of California, relating to claims against counties;

Also: Assembly Bill No. 49—An act to amend the Political Code by adding thereto a new section to be numbered 4041k, relating to power of the board of supervisors to vacate or abandon drainage or sewage easements.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 141 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 399, 492 and 1358 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 498 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 47 and 49 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 51—An act to amend section 1 of an act entitled "An act to enable counties to purchase, lease, obtain, hold, improve and maintain land for the uses and purposes of public parks and boulevards," approved May 31, 1921, Statutes 1929, page 992.

Also: Assembly Bill No. 212—An act to amend sections 1 and 3 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923 (Stats. 1923, p. 289), relating to the amount and purposes of such funds.

Also: Assembly Bill No. 396—An act to amend section 131 of the Code of Civil Procedure, relating to the incidental expenses of probation officers and deputy probation officers.

Also: Assembly Bill No. 528—An act to repeal section 4230 of the Political Code, relating to salaries of officers in counties of the first class.

Also: Assembly Bill No. 654—An act to add a new section to the "Weights and Measures Act," approved June 16, 1913, as amended, to be numbered 16r2, relating to the salaries of the sealer of weights and measures, and deputies, in counties of the second class.

Also: Assembly Bill No. 701—An act to amend section 5 of an act entitled "An act to restrict the running of dogs at large; to protect live stock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of live stock injured by dogs," approved June 3, 1921, as amended, relating to dog licenses.

Also: Assembly Bill No. 787—An act to amend an act entitled "An act providing for the disposition of fines and forfeitures collected in all prosecutions for violations of the laws of the State referring to wild birds, wild mammals and fishes," approved May 20, 1915.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 51, 212, 396, 528 and 654 read first time, and referred to Committee on County Government.

Assembly Bill No. 701 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 787 read first time, and referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 30—An act to amend section 831 of the Code of Civil Procedure, relating to change of place of trial;

Also: Senate Bill No. 88—An act to amend sections 1547 and 1549 of the Code of Civil Procedure, relating to the giving of notice of sales of property by executors and administrators;

Also: Senate Bill No. 90—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry;

Also: Senate Bill No. 92—An act to amend section 538 of the Code of Civil Procedure, relating to affidavits of attachment;

Also: Senate Bill No. 152—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 157—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 164—An act to add a new section to be numbered 784a to the Penal Code of the State of California, providing for and relating to the jurisdiction of criminal actions for slander and in what county or counties such criminal actions shall be commenced and tried;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 33—An act to amend section 1789 of the Code of Civil Procedure, relating to notice of certain sales of property under administration;

Also: Senate Bill No. 148—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act;

Also: Senate Bill No. 153—An act validating the formation, organization and existence of sanitary districts;

Also: Senate Bill No. 676—An act to amend sections 2 and 3 of chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended by chapter 208, Statutes of 1929, and providing that this act shall take effect immediately.

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 154—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same;

Also: Senate Bill No. 155—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 156—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class;

Also: Senate Bill No. 198—An act to repeal section 324 of the California Irrigation District Act, relating to election on sale of bonds at less than par;

Also: Senate Bill No. 199—An act repealing chapter 489, Statutes of 1919, entitled "An act to authorize irrigation districts to refund outstanding bonded indebtedness," approved May 25, 1919;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 316—An act to revise chapter 712, Statutes of 1921, entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, as amended;

Also: Senate Bill No. 407—An act to add section to be numbered section 693 to the Political Code, relating to the preparation and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, and to repeal "An act relating to the advertising and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the State Department of Finance and vesting in the State Department of Finance the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of

all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore given to any State officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," approved December 18, 1911;

Also: Senate Bill No. 454—An act to amend section 602 of the Penal Code, relating to trespass;

Also: Senate Bill No. 890—An act to amend section 626m of the Penal Code, relating to hunting and fishing at night;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 691—An act to amend section 28 of an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith," approved May 19, 1915," approved May 28, 1917;

Also: Senate Bill No. 844—An act to amend section 3.292 of the School Code, relating to apportionments of State and county funds to high school districts; And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 39—An act to amend chapter 592, Statutes of 1913, entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works, and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, as amended, by adding a new section to be numbered 12a, relating to the annexation of county water districts to municipal utility districts enabling the legislative body of any county water district to agree upon and give effect to terms and conditions of annexation and transfer property to municipal utility districts in consideration of and upon annexation, and declaring the urgency of said amendment;

Also: Senate Bill No. 350—An act relating to the formation, organization and proceedings of bridge and highway districts; confirming the formation, organization and existence of such districts; establishing and validating the boundaries thereof; confirming the appointment of the members of the boards of directors of such districts and all acts and proceedings of such members heretofore had or taken; confirming and validating any and all acts and proceedings heretofore had or taken by such districts in connection with the issuance of bonds thereof and all bonds heretofore authorized or issued by such districts and authorizing such bonds to be sold and delivered; providing for the levy and collection of a tax sufficient to pay the principal and interest of any such bonds; and declaring this act to be an urgency measure; And reports that the same have been correctly enrolled and presented to the Governor on the sixth day of March, at two o'clock p.m.

RILEY, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 353—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings;

Also: Senate Bill No. 354—An act to amend section 2640 of the Political Code, relating to opening and improving roads;

Also: Senate Bill No. 25—An act to amend section 2 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended, relating to official bonds of deputies, clerks and subordinate officers in county offices and institutions;

Also: Senate Bill No. 617—An act to amend section 3881 of the Political Code, relating to assessor's maps;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7.

WAGY, Chairman.

Senate Bills Nos. 353, 354, 25 and 617, ordered on file for second reading.

Also:

MR. PRESIDENT: Your committee on County Government, to which was referred Senate Bill No. 45—An act to amend sections 2, 3, 4 and 6, and to add a new section

to be numbered section 21, of chapter 210, Statutes of 1901, entitled "An act to provide for the maintenance and support, in certain cases of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to residence of indigent persons, the bringing of indigents into the State, and the reimbursement of counties for aid advanced indigents—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; noes—1; absent—3.

WAGY, Chairman.

Senate Bill No. 45 ordered on file for second reading.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 409—An act to amend sections 1, 9 and 13 of chapter 426, Statutes of 1915, entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to license fees and the issuance, suspension and revocation of licenses.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "1, 9 and 13", and insert in lieu thereof: "1 and 9".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 35, of the printed bill, strike out "twenty-five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 38 to 51, inclusive.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out lines 1 to 20, inclusive.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 21, of the printed bill, strike out "4", and insert in lieu thereof "3".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 422—An act to repeal sections 683 and 684 of the Political Code, relating to the Department of Finance.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 444—An act to amend sections 2 and 10 of chapter 16, Statutes of 1923, entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923,

relating to the deposit of money belonging to or in the custody of the State.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 445—An act to amend sections 2 and 3 of chapter 201, Statutes of 1913, entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, relating to surplus money in the State treasury.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 646—An act to transfer all property which was acquired in any manner for the use of the California Industrial Farm for Women to the Sonoma State Home.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 126—An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal chapter 32, Statutes of 1911, extra session, entitled "An act to provide for the recall of elective officers of incorporated cities and towns," approved January 2, 1912.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out the period after the word "months", substitute a comma and the following: "and no other recall petition has been filed against him within a like period."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out the words, "for all candidates".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, after the period insert the following: "For the purposes hereof, each seat on the legislative body shall be deemed a separate office."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill, after the comma, insert the following: "he shall immediately notify the legislative body, and".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the printed bill, strike out the period, substitute a comma, and add the following: "but the time for the performance of such duties shall not begin to run until after such designation."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 30, of the printed bill, strike out the word "Within", and substitute the following: "After the expiration of".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 40, of the printed bill, strike out the words "time of", and substitute the word "first".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 6, of the printed bill, after the period, add the following: "The term "each separate paper" may include a number of sheets attached together, provided the affiant saw written all the signatures appearing on each of said sheets."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 7, of the printed bill, strike out the word "ten", and substitute the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 13, of the printed bill, strike out the word "ten", and substitute the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 16, of the printed bill, strike out the word "ten", and substitute the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 27, of the printed bill, strike out everything after the "period", on said line 27, down to and including the period on line 29.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 33, of the printed bill, strike out everything after the word "called", in said line 33, down to and including the comma after the word "vote", in line 34, and insert instead thereof the following: "forthwith, and held not less than thirty-five nor more than forty days after the date of the order calling such election; provided if a regular municipal election is to occur not more than sixty days nor less than thirty-five days from the date of canvassing the vote aforesaid, the legislative body may at its discretion provide for filling the vacancy at such regular municipal election instead of a special election."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 34, of the printed bill, strike out the small "o", in the word "otherwise", and substitute a capital "O".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 44, of the printed bill, strike out the words "within thirty", and substitute instead thereof the following: "not less than thirty-five nor more than forty".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 8, of the printed bill, strike out the "period", substitute a "comma", and the following: "*provided, however*, that in the case of any recall petition filed prior to the time this act takes effect, the procedure with respect thereto shall be in accordance with the provisions of chapter 32, statutes of 1911, extra session."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Elections.

Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, strike out the word "forty", and insert in lieu thereof the word "thirty".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed bill, strike out all of said line after the word "office", and insert in lieu thereof "before any officer qualified to take oaths and return said oath of office to county clerk or registrar of voters."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 31 and 32, of the printed bill, strike out the word "administer", and insert in lieu thereof the words "cause to be administered".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 35, of the printed bill, between the word "in" and "daily", insert the word "a", also in said line strike out the word "newspapers", and in lieu thereof insert the word "newspaper".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 38, of the printed bill, after the word "held", strike out the comma and all words down to and including the word "circulated", on line 45.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Elections.

Senate Bill No. 533—An act to amend section 2 of an act entitled "An act remising, releasing and quit-claiming to the Regents of the University of California the properties in the county of Los Angeles which were heretofore transferred to and vested in said Regents of the University of California by an act entitled 'An act repealing sections 1, 2, and 3 of an act entitled "An act to establish a branch State Normal School," approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the Regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles continuing regular normal school training courses and providing an appropriation for the support and maintenance thereof,' approved May 23, 1919, and all other properties, real, personal, and mixed, connected therewith or appurtenant thereto, and authorizing said Regents of the University of California to hold, sell, lease or otherwise deal with the same and to dispose of proceeds realized from said holding, selling, leasing, or otherwise dealing with the same, and repealing all acts or parts of acts in conflict with this act," approved April 12, 1929.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, delete "()," and insert in lieu thereof "()".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 7 of the title of the printed bill, delete "()," and insert in lieu thereof "()".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 8 of the title of the printed bill, delete "()", and insert in lieu thereof "()".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 14 of the title of the printed bill, delete "()", and insert in lieu thereof "()".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 3, of the printed bill, following the abbreviated word and figure "Sec. 2.", add the following: "The proceeds of any letting, selling, leasing, or other disposition of the said properties, or any of them, shall be applied to the regents of the University of California in the due execution of their trust for university purposes, as follows: one hundred twenty-five thousand dollars of such proceeds shall be set aside for the construction and equipment of buildings at the citrus experiment station and graduate school of tropical agriculture, at Riverside, California; any moneys remaining shall be applied by the regents of the University of California for university purposes within the county of Los Angeles, provided only that of said moneys remaining the sum of at least one hundred fifty thousand dollars shall be expended for an addition to the physics-biology building now located upon the campus of the University of California at Los Angeles, and that in such addition to said building there shall be provided space for the housing of facilities for instruction in subtropical horticulture and related subjects."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 362—An act to prohibit the production of crude petroleum oil so as to constitute waste; to define waste; to provide for a determination of waste and the allocation of production to the several sources of supply and the several properties therein and to provide penalties for a violation of said law.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an oil conservation commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil to make and file certain reports; providing for the filing and hearing of complaints concerning the waste of crude petroleum oil and for oaths, subpoenas and depositions; providing for the fixing of allowable

production of crude petroleum oil for the State and for the several oil fields thereof, respectively, and for the several properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of said act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record; creating a fund for the purposes of said act; providing for the assessment and collection thereof and making an appropriation for the purposes of this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"Section 1. The production of crude petroleum oil in the State of California in such manner, under such conditions and in such amounts as to constitute or result in waste as hereinafter defined is hereby declared to be opposed to the public interest and is hereby prohibited.

Sec. 2. The term "waste" as used herein shall include underground waste or destruction without beneficial use, surface waste or destruction without beneficial use, waste by reduction of the total quantity of recoverable crude petroleum oil in any underground source of supply by the careless or improper drilling or operation of wells, and the waste incident to or resulting from the production of crude petroleum oil when the current production together with the amount of crude petroleum oil and/or its products in storage exceeds the current requirements for use within and for shipment to points without the state, and for the maintenance in storage of such reserves of crude petroleum oil and/or its products as are reasonably necessary to meet and insure the continuity of an adequate supply of crude petroleum oil and/or its products for such current requirements. The loss by evaporation or leakage and the increased hazard of loss from fire and other causes resulting from the storage of crude petroleum oil and/or its products in excess of the quantities which are reasonably necessary to insure continuity of an adequate supply for such current requirements is waste within the meaning of this act.

Sec. 3. There is hereby created the oil conservation commission, which shall consist of three (3) members who shall be chosen as follows: "Within thirty (30) days after this act becomes effective the state oil and gas supervisor shall call a meeting, at one of his offices in the State of California designated by him, of the members of the five boards of district oil and gas commissioners, elected under the provisions of an act of the State of California entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the department of natural resources for the prevention of such waste and destruction; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the director of the department of natural resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act.", approved June 10, 1915, chapter 718; amended 1917, chapter 759; amended 1919, chapter 536; amended 1921, chapter 912; amended 1929, chapter 535. Written notice of the time and place of such meeting shall be given to each district oil and gas commissioner at least five (5) days prior to the date thereof by letter addressed and mailed to each commissioner at his post-office address. At such meeting, at which there must be present a majority of all of said district oil and gas commissioners, the said commissioners shall proceed to elect the members of the oil conservation commission, one of whom shall be chosen for a term of two (2) years, one for a term of three (3) years and one for a term of four (4) years. Each district oil and gas commissioner shall be entitled to one vote for each member of the oil conservation commission and the person receiving a majority vote of all of said district oil and gas commissioners for each of said offices shall be declared to be elected thereto. The state oil and gas supervisor shall thereupon notify such person of his election and transmit a certificate of the same to the secretary of state of the State of California. Each person so elected shall, within thirty (30) days after notice of his election as aforesaid, qualify by taking oath of office and by filing the same with the secretary of state as required by law. The term of office of each of said three commissioners shall commence on September 1, 1931, and shall be as hereinabove set forth. Within thirty (30) days next preceding the expiration of the respective terms of office of incumbent commissioners, successors shall be elected in the same manner as hereinabove set forth, for terms of four (4) years, respectively, or in case of vacancy, forthwith,

to fill the unexpired term. All such successors shall be qualified as hereinabove stated and shall serve for the terms for which they shall be elected, respectively.

Any meeting of the district oil and gas commissioners called for the purpose of electing a member or members of the oil conservation commission may be adjourned to such time and place as the commissioners present, by a majority vote, may determine.

The state oil and gas supervisor shall be ex officio secretary of said commission and shall keep a record of its proceedings, and his office shall be the office of said commission. The powers and duties of such commission shall be as hereinafter set forth. Said commission shall have power to appoint such deputies and to employ such legal, technical, clerical and other assistants as may be necessary to enable it to perform its duties under this act and shall fix their compensation, which, together with all reasonable and necessary costs and charges of the enforcement of this act, shall be payable out of the petroleum oil gas fund hereinafter referred to.

Immediately upon the commencement of the respective terms of office of the oil conservation commissioners the state oil and gas supervisor shall call the first meeting thereof, giving at least five (5) days' written notice to each commissioner of the time and place thereof. At such meeting the said commission shall appoint a chairman and such officers other than secretary as it shall deem necessary and shall adopt rules and regulations for the conduct of its meetings.

Sec. 4. It shall be the duty of the oil conservation commission to inquire into the production of crude petroleum oil in this state and the extent of the current requirements for use within and for shipment to points without the state and of requirements for the maintenance in storage of such reserves as are reasonably necessary to meet and insure the continuity of an adequate supply of crude petroleum oil and/or its products for such requirements, in order to enable it to determine whether or not waste as hereinbefore defined exists. For this purpose the oil conservation commission shall have the power and it shall be its duty to adopt such rules and regulations as shall enable it to ascertain all the facts upon which the proper and adequate enforcement of this act shall depend. Said commission shall have the right to require any producer or producers of such crude petroleum oil or any operators of any drilling or producing well or wells to make and file sworn statements of production of or facts concerning any well or wells under their control whenever and as often and for such periods as it may specify and such well or wells may be inspected and/or gauged and/or the production therefrom gauged in such manner and under such rules and regulations as may be prescribed by such commission.

All of the records of the oil and gas supervisor of the State of California shall be available for the use of said oil conservation commission under this act.

Said commission shall likewise have the power to require owners and/or operators of any storage facilities of crude petroleum oil and/or its products in this state to make and file sworn statements regarding the same and the quantity and quality of the oil and/or its products in storage, in such manner and to such extent as shall be prescribed by said commission by rules and regulations or by specific order in the performance of its duties under this act.

Sec. 5. Upon complaint of the oil conservation commission, or upon the verified complaint of any producer of crude petroleum oil in this state, or upon complaint of the director of natural resources of this state, that waste of crude petroleum oil as hereinbefore defined is being committed in this state, it shall hold a hearing in one of the counties in which it is alleged that such waste is being committed, to determine whether or not such or any waste is being committed. At least five (5) days prior to the date of said hearing the commission shall cause notice of the time and place of said hearing to be published in a newspaper of general circulation printed and published in each county in which it is alleged that waste is being committed, and to be posted in at least three (3) conspicuous places in each field or locality in which it is alleged that such waste is being committed; *provided, however*, that in lieu of notice by posting or by publication, personal service of such notice upon any person, firm or corporation at least five (5) days prior to the date of said hearing shall be sufficient notice of such hearing to such person, firm or corporation. Said notice shall also specify the commonly accepted name or general description of the field or fields or locality or localities in which the waste is alleged to be taking place and the county or counties in which the same are situated. At said hearing all persons interested shall be entitled to be heard and to introduce evidence. Said hearing shall first be held at the place specified in said notice and may be by the commission adjourned from time to time for further hearing or hearings at such place or places as may be specified by it upon such adjournments, respectively, in the county or any of the counties in which it is alleged waste is being committed as set forth in the original notice of such hearing. Each member of the board of oil conservation commissioners and each representative of such commission appointed and designated to take testimony at the hearing provided herein shall have power to administer oaths, take affidavits and issue subpoenas for the attendance of witnesses at such hearing. The superior court in and for the county, or city and county, in which any hearing may be held under the authority of this act shall have power to compel the attendance of witnesses, the giving of testimony and the production of papers as required by any subpoena issued hereunder. The oil conservation commission or its representatives before whom the testimony is to be given or produced

may, in case of refusal of any witness to attend or testify or produce any papers required by such subpoena, report to the superior court in said county, or city and county, by petition, setting forth that due notice has been given of the time and place of the attendance of said witness or the production of said papers and that the witness has been summoned in the manner prescribed in this act and has failed and refused to attend or produce the papers required by the subpoena before the commission or its representative in the case or proceeding named in the notice of time and place of hearing and subpoena, or has refused to answer questions propounded to him in the course of said proceedings, and ask an order of said court to compel the witness to attend and testify or produce said papers before the commission or its representative. The court, upon such petition, shall enter an order directing the witness to appear before the court at a time and place to be fixed by the court in such order, the time to be not more than five (5) days from the date of the order, and then and there show cause why he has not attended and testified or produced said papers before the commission or its representative. A copy of said order shall be served upon said witness. If it shall appear to the court that said subpoena was regularly issued by the commission or its representative the court shall thereupon enter an order that said witness shall appear before the commission or its representative at the time and place entered in such order and testify or produce the required papers, and upon failure to obey said witness shall be dealt with as for contempt of court.

The commission or its representative may in any investigation or hearing cause the deposition of witnesses residing within or without the state to be taken in the manner prescribed by law for like depositions in civil actions in the superior courts of this state and to that end may compel or cause to be compelled as hereinabove set forth, the attendance of witnesses and the production of documents and papers.

Sec. 6. If upon the hearing the commission finds that waste is being committed and if such waste be incident to or result from the wasteful production of crude petroleum oil as defined in section 2 hereof, the commission shall make an order fixing therein the amount of nonwasteful production for the State of California and for the several oil fields within the state, respectively, found to be contributing to such waste, and for each such oil field fixing therein the amount of allowable production for the several zones, producing properties and/or well or wells in such oil field, so as to stop said waste. The aggregate amount of production without waste as so determined shall be so allocated by the commission among the different fields and the different zones, properties and wells in the respective fields, as to avoid a diminution in the total amount of petroleum crude oil ultimately recoverable from any field, zone, property or well.

If the commission finds that waste other than waste incident to or resulting from excessive production, as hereinabove set forth, is being committed, it shall enter its order or orders requiring the person, firm or corporation found to be committing such waste to desist from the same within such time and to the extent specified in such order or orders.

Sec. 7. Each order shall state the time during which the same shall be effective and may provide for subsequent hearings for the purpose of determining upon the necessity of and providing for the amendment or modification of any such order. The property or properties or well or wells referred to therein may be described by using the commonly known name or lease designation thereof.

A copy of each order made by the commission shall be mailed to each person, firm or corporation operating any property affected by said order.

No failure to mail copies of any order of the commission as hereinabove provided shall affect the validity of the same.

Any order of the commission may at any time or times be amended or modified by the commission upon hearing, noticed as hereinbefore prescribed for the original hearing or had as provided for in such order.

A copy of each order when made by the commission shall be filed with the director of natural resources of the state.

Sec. 8. If and when an order of the commission shall be made fixing the amount of allowable production from any oil-producing property within the state, and notice thereof shall have been given as hereinbefore provided, no crude petroleum oil produced in violation of such order shall be removed by any third person, firm or corporation from the property where the same was produced.

Sec. 9. If and when any order shall be made by the commission hereunder fixing the quantity of allowable production from any oil-producing property within the state, and notice thereof shall have been given as hereinbefore provided, if thereafter any person, firm or corporation operating any such property shall produce therefrom a quantity of crude petroleum oil in excess of the quantity allowed to such property under said order of the commission, either under a stay of the order by any court proceeding or otherwise, and such order shall be held valid and enforceable by a court of competent jurisdiction as provided in section 11 hereof, the well or wells on said property shall be entirely closed in until such time as the amount which said well or wells could produce under the order equals the amount theretofore produced in excess of the amount allowed by said order. Thereupon such well or wells may be restored to production upon the basis allowed by such order.

Sec. 10. Any producer of crude petroleum oil or operator of any drilling or producing well or wells, or owner or operator of any storage facilities of crude petroleum oil referred to in this act, or employee thereof, who refuses to permit the commission

or its representative to inspect the same, and every person, firm, association, corporation, trust or syndicate, whether as principal, agent, servant, employee or otherwise, failing or neglecting or refusing to furnish any report or record or statement which may be required pursuant to the provisions of this act, or who wilfully renders or furnishes a false or fraudulent report or statement or record, is guilty of a misdemeanor.

Sec. 11. If any person, firm or corporation violates any order of the oil conservation commission made hereunder and persists in such violation after having been given notice of said order as herein provided, the director of natural resources of this state may, and upon request of such commission must, bring an action in the name of the people of the State of California against such person, firm or corporation in the superior court for any county in which any of the property covered by such order is situated, to restrain such violation and to enforce the provisions of such order. There may be joined in the same proceeding any number of defendants alleged to be violating the same order, although their properties and interests may be severally owned, may be situated in several counties, and their actual violations of the order may be separate and distinct. In such action the court shall enjoin the defendants from violating said order unless the court shall determine that the order is invalid. In event the order is determined to be invalid, the court may dismiss said action without prejudice to the right and jurisdiction to conduct further hearings and make a new order in the premises by giving notice thereof as in this statute provided. In any action for injunction brought hereunder no restraining order shall be issued ex parte but otherwise the procedure shall be governed by the provisions of chapter 3, title 7, part 2, of the Code of Civil Procedure of the State of California and pending appeal no temporary or permanent injunction issued in such proceeding shall be refused or dissolved or stayed upon the giving of any bond or undertaking, or otherwise.

Sec. 12. The department of natural resources shall annually on or before the first Monday in March, acting in conjunction with the state board of control, make an estimate of the amount of moneys which shall be required to carry out the provisions of this act. Said amount of money shall be provided by assessments levied and collected on the properties of every person, firm, corporation or association operating any well or wells for the production of crude petroleum oil in this state. The charges shall be levied, assessed, equalized and collected in the manner and at the same time as is provided for the collection of the charges under the provisions of an act entitled "An act to protect the natural resources of petroleum and gas, approved June 10, 1912, chapter 718, amended 1917, chapter 759, amended 1919, chapter 536, amended 1921, chapter 912, amended 1929, chapter 535," referred to in section 3 hereof.

Sec. 13. Out of any moneys in the state treasury not otherwise appropriated, there is hereby appropriated the sum of fifty thousand dollars, which said sum shall be immediately transferred by the state controller on the books of his office from the general fund to the petroleum oil and gas fund created by section 46 of the act last above referred to. The above mentioned fund shall be expended by the department of natural resources in carrying out the provisions of this act and for the necessary expense of the controller in carrying out the provisions of this act. On or before July 1, 1932, said sum of fifty thousand dollars shall be returned into the general fund from moneys in the petroleum oil and gas fund.

Sec. 14. Nothing herein contained shall be construed to confer on the oil conservation commission any jurisdiction over any matter or matters given to the state oil and gas supervisor or to the director of natural resources by any law of the State of California or to limit the effect of any such law.

Sec. 15. That the invalidity of any section, subdivision, clause or sentence of this act shall not in any manner affect the validity of the remaining portion thereof."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Oil Industries.

Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to amend sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430, inclusive, and new sections to be numbered 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 906—An act to amend section 2.464 of the School Code.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 849—An act to amend sections 5.401, 5.460, 5.461, 5.802, 5.810 and 5.1071 of the School Code; to repeal chapter VI, embracing sections 5.630 to 5.634, both inclusive, of part III of division V thereof; to add a new chapter to part III of division V thereof, to be known as chapter VI, embracing sections 5.630 to 5.634, both inclusive; to add thereto new sections to be numbered 5.112, 5.383, 5.532, 5.804, 5.815; to add thereto a new part to be known as part V of division V thereof, embracing sections 5.1100 to 5.1138, both inclusive; to repeal section 5.814, and to repeal those acts in this act enumerated and described, all relating to the teaching and supervisory force of the public school system.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 850—An act to amend sections 4.52, 4.380, 4.381, 4.382, 4.452, 4.490, 4.630, 4.774 of the School Code; to add thereto new sections to be numbered 4.281, 4.383, 4.384, 4.469, 4.491, 4.492, 4.762-1 and 4.778-1; to add a new article to chapter I of part III of division IV thereof, to be known as article 1a and to embrace sections 4.280a to 4.284a, both inclusive, and to repeal those acts in this act enumerated and described, all relating to the financial support of the public school system.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 851—An act to amend sections 3.351, 3.350 and 3.762 of the School Code, to repeal article VIII, embracing sections 3.490 to 3.501, inclusive, of chapter I of part IV of division III thereof, to add a new article to chapter I of part IV of division III thereof to be known as article VIII embracing sections 3.490 to 3.495, inclusive, to add a new article to chapter II of part IV of division III to be known as article VIIa, embracing sections 3.670a to 3.685a, inclusive; to add thereto new sections to be numbered 3.392 and 3.807 and to repeal those acts in this act enumerated and described, all relating to the system of public instruction.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 852—An act to amend sections 2.310, 2.500, 2.600, 2.670 to 2.674, inclusive, 2.690, 2.691, 2.750, 2.830, 2.877, 2.913, 2.1021, 2.1058, 2.1061, 2.1130, 2.1131, 2.1391, 2.1435, 2.1440 to 2.1443, inclusive, 2.1463, 2.1466 and 2.1468 of the School Code; to add thereto new sections to be numbered 2.21, 2.1095, 2.1111, 2.1321, 2.1399 to 2.1401, inclusive, 2.1444 to 2.1446, inclusive, and 2.1469; to add a new article to chapter VI of part I of division II thereof to be numbered article VIIa, embracing sections 2.440a to 2.454a, inclusive; to add a new article to chapter XI of part I of division II thereof, to be numbered article VIa embracing sections 2.730a to 2.738a, inclusive; to add a new article to chapter I of part V of division II thereof to be numbered

article V embracing section 2.1520; to repeal sections 2.1392 to 2.1398, inclusive, and sections 2.1132 and 2.1133 thereof, and to repeal those acts in this act enumerated and described, all relating to the administrative organization of the public school system.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 144—An act to amend section 5.582 of the School Code, relating to joint teachers institutes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 238—An act to amend section 2.1090 of the School Code, relating to the organization of high school district governing boards.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 245—An act to amend section 2.1152 of the School Code, relating to the organization of junior college district governing boards.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 450—An act to add four new sections to the California School Code, to be numbered 6.12, 6.13, 6.14, and 6.15, relating to the maintenance and repair of school property by the county superintendent of schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 848—An act to amend sections 6.61, 6.260, 6.440, 6.441, 6.452, 6.732 and 6.751 of the School Code; to add thereto new sections to be numbered 6.101, 6.204, 6.470-1, 6.470-2 and 6.733; to add a new article to chapter II of part I of division VI thereof, to be known as article VIa, embracing section 6.90a; a new article to chapter IV of part I of division VI thereof, to be known as article IIIa, embracing sections 6.190a to 6.194a, both inclusive; to repeal article I, embracing sections 6.370 to 6.376, both inclusive, article III, embracing sections 6.390 to 6.393, both inclusive, article IV, embracing sections 6.400 to 6.408, both inclusive, article V, embracing sections 6.420 to 6.429, both inclusive; all of chapter V of part II of division VI thereof; to add to chapter V of part II of division VI thereof, a new article to be known as article I, to embrace sections 6.370 to 6.375, both inclusive; a new article to be known as article III, to embrace sections 6.390 to 6.391, both inclusive; a new article, to be known as article IV, embracing sections 6.400 to 6.409, both inclusive; a new article, to be known as article V, to embrace sections 6.420 to 6.424, both inclusive; to repeal section 6.62 thereof, and to repeal all of those acts and parts of acts in this act enumerated and described, all relating to the environment and equipment of the public school system.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 131—An act to amend section 651d of the Civil Code, relating to the conferring of academic or professional degrees.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

In line 7, of the printed bill, strike out figure "651", and insert in lieu thereof "651½".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 237—An act to amend sections 2.913 and 2.914 of the School Code and to repeal chapter 284 of the Statutes of 1929, entitled "An act relating to the holding of school elections in union or joint union school districts," approved May 14, 1929, relating to elections for members of union or joint union school district governing boards.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 1, of the title of the printed bill, strike out the following : "sections 2.913", and insert in lieu thereof the word "section".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1, of the title of the printed bill, after the word "Code", insert a semicolon and the following : "to add a new section thereto to be numbered 2.913; to repeal section 2.913 thereof".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, beginning in said line 1, strike out all of lines 1 to 7, inclusive, and insert in lieu thereof the following :

"SECTION 1. A new section is hereby added to the School Code to be numbered 2.913 and to read as follows :

2.913. The election shall be called by the governing board of the district, which shall designate a polling place in the union or joint union district at a school house thereof at which the electors of such district may vote."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, following said line 19, insert the following : "SEC. 4. Section 2.913 of the School Code is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 247—An act to amend section 2.123 of the School Code, relating to the providing of educational facilities by superintendents of schools of counties.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, beginning in said line 5, strike out the following : "filing of a petition for the formation of a new school district or the forma-

tion of a new district", and insert in lieu thereof the following: "formation of a new school district or the filing of a petition for the formation thereof".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 280—An act to amend section 6.4 of the School Code, relating to the payment of assessments levied against real property owned by, or under the control of, boards of school trustees and city boards of education.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, beginning in said line 11, strike out the following: "not required by law to be used for other purposes", and insert in lieu thereof the following: "except funds derived from the sale of bonds or required by law to be used for teachers' salaries."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 847—An act to repeal chapter II, embracing sections 4.760 to 4.864, both inclusive, of part IV of division IV of the School Code and to add thereto a new chapter to be known as chapter II, embracing sections 4.760 to 4.833, both inclusive, relating to the apportionment of State and county elementary school funds.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, strike out the following: "allawed", and insert in lieu thereof the word "allowed".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 7, of the printed bill, strike out the following: "as reported by the county superintendent of schools".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 429—An act to amend section 2079 of the Political Code, relating to allowances to organizations of the National Guard.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 536—An act to amend section 4041f of the Political Code, relating to powers of counties as to facilities for veterans.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or

making available, of public lands in certain instances to memorial districts for such purposes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 498—An act to amend section 2102 of the Political Code, relating to the National Guard.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "division", strike out the comma, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, strike out the word "and", and insert in lieu thereof the following: "Such honorary members".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 499—An act to amend section 2098 of the Political Code, relating to the National Guard.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out the words "jury duty and".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 691—An act to amend chapter 379, Statutes of 1915, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith."

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Young moved to refer Senate Bill No. 691 to Senator Duval, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the new title of the amended printed bill, after "section 28 of", strike out the words "An act", and insert in lieu thereof the following: "chapter 643, statutes of 1917,".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the amended printed bill, strike out the words "said act", and insert in lieu thereof the following: "chapter 643, statutes of 1917, entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into

six fish and game districts,' approved March 21, 1911, and all acts or parts of act inconsistent herewith," approved May 19, 1915' as amended by chapter 690, statutes of 1929,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 691, with instructions to amend, respectfully reports the same back, amended as per instructions.

DUVAL, Committee.

Report read, and on motion of Senator Young adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 316—An act to revise chapter 712. Statutes of 1921, entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 316 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Waggy, Williams, and Young—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 92—An act to amend section 538 of the Code of Civil Procedure, relating to affidavits of attachment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 92 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Waggy, Williams, and Young—35.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 164—An act to add a new section to be numbered 784a to the Penal Code of the State of California providing for and relating to the jurisdiction of criminal actions for slander and in what county or counties such criminal actions shall be commenced and tried.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 164 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman,

Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 88—An act to amend sections 1547 and 1549 of the Code of Civil Procedure, relating to the giving of notice of sales of property by executors and administrators.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 88 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 90—An act to amend section 69 of the Civil Code, relating to issuance of licenses to marry.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 90 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 150—An act confirming and validating the formation or organization and existence of reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 150 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 151—An act to validate bonds, including refunding bonds, of reclamation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 151 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 160—An act to amend section 3477 of the Political Code, relating to crediting purchasers, forwarding statements, and paying over moneys by registers of reclamation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 160 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 153—An act validating the formation, organization and existence of sanitary districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 153 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 155—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any acquisition and improvement district, and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate bill No. 155 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 156—An act to validate the organization and existence of school districts, high school districts and junior college districts of every kind and class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 156 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 33—An act to amend section 1789 of the Code of Civil Procedure, relating to notice of certain sales of property under administration.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 33 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senator Riley:

WHEREAS, The city of Los Angeles has diverted and appropriated certain waters of Inyo County and Mono County to the use and benefit of the city of Los Angeles, and in the course of such diversion and appropriation has condemned certain lands; and

WHEREAS, It has been represented that the taking of said waters has resulted in the depreciation of the value of certain lands owned by individuals and a reduction of the revenues of the county derived from the taxation of such lands; and

WHEREAS, It may be necessary and advisable during the forty-ninth session of the Legislature to take some action relative to the conditions which have thus arisen; and

WHEREAS, It is advisable that a committee be appointed to study these matters, and to report back its findings, and to make such recommendations concerning legislation in connection therewith as it may deem desirable; now, therefore, be it

Resolved by the Senate. That a committee, consisting of five members of the Senate, be appointed by the President of the Senate to investigate the above mentioned matters and report back its findings together with its recommendations to the Senate as soon hereafter as may be convenient and during the forty-ninth session of the Legislature; and be it further

Resolved, That said committee may incur expenses necessary to its investigations in a sum not to exceed \$2,000 to be paid from the Contingent Fund of the Senate.

Resolved, further, That said committee shall proceed at once to organize by the election of one of its members as chairman and one as secretary, and proceed with said investigation in the manner to be determined by said committee.

Resolved, further, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters, objects, and conditions hereinabove referred to; to hold meetings and hearings anywhere in the State and shall hold meetings and hearings in Inyo and in Mono counties; to require the production of persons, books, documents, records and papers; to issue subpoenas; to compel the attendance of witnesses and procure the testimony thereof; and each of the members of said committee is hereby authorized to administer oaths; all of the provisions of article VIII of chapter 2, title I,

part III of the Political Code relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution.

Resolved, further. That said committee is hereby given leave to sit during the session of the Legislature at the Capitol or at such other place as the committee, from time to time, may designate.

Resolution referred to Committee on Conservation.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator McKinley:

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to add a new section to the Penal Code to be numbered section 347b, relating to the sale and use of fluid extract of jamaica ginger or any preparation or compound containing triorthocresyl phosphate, and declaring the urgency thereof.

Request referred to Committee on Rules.

POSTPONEMENT OF RECONSIDERATION.

Senator Jones asked for, and was granted, unanimous consent to have the reconsideration of the vote by which Senate Bill No. 56 was refused passage postponed until the next legislative day.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 676—An act to amend "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 26, 1927, as amended.

Bill read third time

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 676 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In lines 17 and 18 of the title of the printed bill, as amended in Senate, March 6, 1931, strike out "by chapter 208, statutes 1929".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 676, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Committee.

Report read, and on motion of Senator Breed adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 844—An act to amend section 3.292 of the School Code, relating to apportionments of State and county funds to high school districts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Jones moved to refer Senate Bill No. 844 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended in Senate March 5, 1931, strike out "apportionments of state and county funds to".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 844 with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator McKinley to introduce a bill entitled: "An act to add a new section to the Penal Code to be numbered 347b, relating to the sale and use of fluid extract of Jamaica ginger or any preparation or compound containing triorthocresyl phosphate, and declaring the urgency thereof"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator McKinley: Senate Bill No. 930—An act to add a new section to the Penal Code, to be numbered section 347b, relating to the sale and use of fluid extract of Jamaica ginger or any preparation or compound containing triorthocresyl phosphate, and declaring the urgency thereof.

Bill read first time, and referred to Committee on Public Health and Quarantine.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 150—An act to amend sections 5 and 7 of chapter 690, Statutes of 1913, entitled the "Direct Primary Law," as amended, prohibiting persons becoming candidates of more than one party.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 150 referred to Committee on Elections.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 454—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Inman moved to refer Senate Bill No. 454 to Senator Maloney as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, lines 27 and 28, of the printed bill, as amended in the Senate March 5, 1931, strike out the words "or enclosed by fence".

AMENDMENT NUMBER TWO.

On page 2, line 29, of the printed bill, as amended in the Senate March 5, 1931, strike out the words "uncultivated or unenclosed".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 454, with instructions to amend, respectfully reports the same back, amended as per instructions.

MALONEY, Committee.

Report read, and on motion of Senator Slater, the report of Special Committee of One, and further consideration of Senate Bill No. 454, was ordered held over until the next legislative day.

ADJOURNMENT.

At twelve o'clock and forty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Tuesday, March 10, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, March 10, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 9, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fremont School of Sacramento, Agnes M. Smith, teacher, and pupils of eighth grade as follows: Jane Adams, Alice Alexander, Lilla Doty, Muriel Fraser, Ellen Gordon, Kathryn Gregory, Ruth Johnston, Lucille Lingafeld, Pearl Massie, Eleanor Milgate, Aileen Moore, Ruth Phillips, Sarah Ross, Marjorie Silveria, Maxine Sims, Eula Stephens, Henry Becker, Terence Beggs, Robert Blair, Robert Cole, Walter Forbes, John Lucich, John Maddix, Leroy Ritchie and Melvin Wicks.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Sophia Neustadt and Mrs. Jacob Del Valle.

On request of Senator Allen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William T. Davidson and M. E. Buckner, supervisors of Siskiyou County; George A. Nickel, Fred Grotefend, Charles E. Johnson and D. R. Jones.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Genevieve Allen, Mrs. William Kest and Mrs. M. A. Dougherty.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Edward Enzenauer, Blair Harte, Thomas J. Ferguson, Willard Cole, Fred Lowell, members of the board of supervisors of Sonoma County.

On request of Senator Deuel, the privilege of the floor of the Senate Chamber for this day was unanimously extended to F. L. Roohr, supervisor of Butte County.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Martin Tierney, Peter J. Haggerty, Edward J. Treacy, Joseph Toner, Patrick McGoldrick, Mrs. Irving Ubank, Mr. and Mrs. Paul Fratessa.

On request of Senator Mixter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to F. M. Pfrimmer, Charles H. J. Hausch, R. B. Oliver, R. C. Sturgeon, Earl Hastings, members of board of supervisors of Tulare County.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. W. M. Bowen.

CERTIFICATE FROM SECRETARY OF STATE.

The following certificate from the Secretary of State was received and read:

STATE OF CALIFORNIA, DEPARTMENT OF STATE.

I, Frank C. Jordan, Secretary of State of the State of California, do hereby certify that on the third day of March, 1931, at the special election held in the Twenty-first Senatorial District, as said district was constituted in 1928 and prior to the taking effect of the Reapportionment Act of 1927, T. E. Treacy, was elected to the office of State Senator, Twenty-first Senatorial District, as appears from the official returns of said election and statement thereof on file in my office.

Witness my hand and official seal this tenth day of March, A.D. 1931.

[SEAL]

FRANK C. JORDAN, Secretary of State.

APPOINTMENT OF SPECIAL COMMITTEE.

The President announced the appointment of Senators Maloney, Fellom and Tubbs, as a Special Committee of Escort, to escort T. E.

Treacy to the bar of the Senate to take his oath of office as State Senator from the Twenty-first District of the State of California.

OATH OF OFFICE ADMINISTERED.

T. E. Treacy was then presented at the bar of the Senate by the Committee of Escort, where he took and subscribed to the following oath of office, administered by J. A. Plummer, Associate Justice, District Court of Appeal, Third District:

I do solemnly swear that I will support the constitution of the United States and the constitution of the State of California, and that I will faithfully discharge the duties of the office of State Senator, according to the best of my ability.

MESSAGES FROM THE ASSEMBLY

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 247—An act to amend section 542a of the Code of Civil Procedure, relating to the lien of an attachment upon real property;

Also: Assembly Bill No. 256—An act to amend section 427 of the Code of Civil Procedure, relating to causes of action which may be united;

Also: Assembly Bill No. 1007—An act to repeal sections 322 and 322a of the Civil Code, relating to corporations;

Also: Assembly Bill No. 155—An act to amend section 354½ of the Penal Code, relating to trademarks;

Also: Assembly Bill No. 499—An act to amend section 4024 of the Political Code, relating to appointment of deputies.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 247, 256, 1007 and 155 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 499 read first time, and referred to Committee on County Government.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 13—An act to add a new section to the Penal Code, to be numbered 64a, relating to the filing of initiative or referendum petitions;

Also: Senate Bill No. 32—An act to amend section 1579 of the Code of Civil Procedure, relating to notice in certain probate proceedings;

Also: Senate Bill No. 50—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property;

Also: Senate Bill No. 59—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents;

Also: Senate Bill No. 144—An act to amend section 5582 of the School Code, relating to joint teachers institutes;

Also: Senate Bill No. 147—An act to validate the organization and existence of municipal improvement districts;

Also: Senate Bill No. 149—An act to validate the organization and existence of municipal utility districts;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 536—An act to amend section 4041f of the Political Code, relating to powers of counties as to facilities for veterans;

Also: Senate Bill No. 646—An act to transfer all property which was acquired in any manner for the use of the California Industrial Farm for Women to the Sonoma State Home;

Also: Senate Bill No. 851—An act to amend sections 3.351, 3.530 and 3.762 of the School Code, to repeal article VIII, embracing sections 3.490 to 3.501, inclusive, of chapter I of part IV of division III thereof, to add a new article to chapter I

of part IV of division III thereof to be known as article VIII, embracing sections 3.490 to 3.495, inclusive, to add a new article to chapter II of part IV of division III to be known as article VIIa, embracing sections 3.670a to 3.685a, inclusive; to add thereto new sections to be numbered 3.392 and 3.897 and to repeal those acts in this act enumerated and described, all relating to the system of public instruction;

Also: Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to amend sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430, inclusive, and new sections to be numbered 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools;

Also: Senate Bill No. 906—An act to amend section 2.464 of the School Code, relating to the taxation of elementary school districts, and for the payment by said school districts of the quotient cost of educating pupils of such elementary school district attending a high school district.

Also: Senate Bill No. 925—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 445—An act to amend sections 2 and 3 of chapter 301, Statutes of 1913, entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, relating to surplus money in the State treasury;

Also: Senate Bill No. 450—An act to add four new sections to the California School Code, to be numbered 6.12, 6.13, 6.14, and 6.15, relating to the maintenance and repair of school property by the county superintendent of schools;

Also: Senate Bill No. 493—An act to amend section 1 of chapter 234, Statutes of 1913, entitled "An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose," to authorize counties, cities and counties and cities to acquire property to be granted to the State of California by purchase or proceedings in eminent domain;

Also: Senate Bill No. 501—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 278—An act to repeal chapter 341, Statutes of 1919, entitled "An act to be known as 'The California Irrigation Act,' providing for cooperation between the State of California and the United States, and independent proceedings, in the storage and diversion of water, the distribution thereof for irrigation and other beneficial uses and purposes, the generation and manufacture of electric power; creating an Irrigation Board, and providing for the formation of irrigation districts and conservation districts, and the conversion of irrigation districts, reclamation districts, drainage districts and other political subdivisions of the State organized for the purpose of promoting irrigation, reclamation and drainage, into irrigation districts under this act; and empowering said Irrigation Board to make and approve contracts and agreements, to construct reservoirs and other works, divert, distribute and sell water and lease and sell water rights, and generate, lease and sell electric power, to apportion to the constituent units of conservation districts the water and electric power to be produced and generated by conservation district works, to levy assessments, and issue bonds of irrigation districts and conservation districts; providing for the management, control and supervision of such irrigation districts and conservation districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; and generally providing a policy relating to the storage, diversion and use of water and the manufacture or generation of electric power, and adopting a

plan for providing revenues therefor; and repealing the California Irrigation Act approved June 4, 1915, and chapter 646 of the Statutes of 1917, approved May 28, 1917, amendatory thereof," approved May 16, 1919;

Also: Senate Bill No. 422—An act to repeal sections 683 and 684 of the Political Code, relating to the Department of Finance;

Also: Senate Bill No. 429—An act to amend section 2079 of the Political Code, relating to allowances to organizations of the National Guard;

Also: Senate Bill No. 444—An act to amend sections 2 and 10 of chapter 16, Statutes of 1923, entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State; And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 181—An act to amend sections 52 and 67 of the California Irrigation District Act, relating to the redemption or purchase of bonds and payment of interest, and to the creation of funds;

Also: Senate Bill No. 200—An act to repeal chapter 254, Statutes of 1897, entitled "An act to provide for the issue and sale or exchange of funding bonds of irrigation districts organized under and in pursuance of an act of the Legislature of the State of California entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, as amended;

Also: Senate Bill No. 202—An act to amend section 39 of the California Irrigation District Act, relating to the levying of assessments;

Also: Senate Bill No. 203—An act to amend section 6 of the California Irrigation District Act, relating to election on organization;

Also: Senate Bill No. 238—An act to amend section 2,1090 of the School Code, relating to the organization of high school district governing boards;

Also: Senate Bill No. 245—An act to amend section 2,1152 of the School Code, relating to the organization of junior college district governing boards; And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Concurrent Resolution No. 7—Relative to establishment of a State Prison in one of the southern counties of the State of California—and reports that the same has been correctly re-engrossed.

DEUEL, Vice Chairman.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 681—An act to promote the development of the California ripe olive industry and to prevent deception in the packing and sale of canned ripe olives by establishing and defining certain standards for canned ripe olives, defining the powers and duties of the Director of the Department of Agriculture in relation hereto including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provisions hereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—8; absent—5.

DUVAL, Chairman.

SECOND READING OF SENATE BILL NUMBER SIX HUNDRED EIGHTY-ONE.

Senate Bill No. 681—An act to promote the development of the California ripe olive industry and to prevent deception in the packing and sale of canned ripe olives by establishing and defining certain standards for canned ripe olives, defining the powers and duties of the Director of the Department of Agriculture in relation hereto including the collection of fees, creating a Board of Appeal and defining its powers

and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provisions hereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, strike out the word "canned".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "olives," insert: "packed in tin or glass containers".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 31, of the printed bill, strike out the word "or".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 33, of the printed bill, strike out the word "cans", and insert: "tin or glass containers".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 4, of the printed bill, strike out the word "legal".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 5, of the printed bill, strike out the word "wholesome".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 6, of the printed bill, after the comma, insert: "embossed or".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, after line 9, of the printed bill, insert two additional paragraphs as follows:

"No other marking or sticker or wrapping shall be placed on or about said top or cover in a manner which will wholly or partially obscure or divert attention from the above designated marking, and if printed or lithographed labels are placed on the walls of the cans, they shall be so placed that the top of the label corresponds with the top of the can, but with a tolerance of ten per cent to cover errors in so placing the label.

Nothing contained herein shall be construed to prohibit the proper printing of factory can marks in ink or embossing on the top or cover of the can."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 10, of the printed bill, before the word "There", insert: "Sec. 7."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 12, of the printed bill, strike out the word "can", and insert: "container, except in the case of olives packed in clear glass,".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 17, of the printed bill, strike out "Sec. 7.", and insert in lieu thereof: "Sec. 8."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 22, of the printed bill, before the word "The", insert: "Sec. 9."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 10, of the printed bill, strike out the word "a", and insert: "an olive".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 18, of the printed bill, strike out "Sec. 8.", and insert in lieu thereof: "Sec. 10."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 33, of the printed bill, strike out "Sec. 9.", and insert in lieu thereof: "Sec. 11."

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 40, of the printed bill, strike out "Sec. 10.", and insert in lieu thereof: "Sec. 12."

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 1, of the printed bill, strike out "Sec. 11.", and insert in lieu thereof: "Sec. 13."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 6, line 13, of the printed bill, strike out "Sec. 12.", and insert in lieu thereof: "Sec. 14."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 6, line 19, of the printed bill, strike out "Sec. 13.", and insert in lieu thereof: "Sec. 15."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 6, line 27, of the printed bill, strike out "Sec. 14.", and insert in lieu thereof: "Sec. 16."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 6, line 33, of the printed bill, strike out "Sec. 15.", and insert in lieu thereof: "Sec. 17."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 44, of the printed bill, strike out "Sec. 16.", and insert in lieu thereof: "Sec. 18."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 7, of the printed bill, strike out lines 1 to 4, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, after line 4, of the printed bill, insert:

"Sec. 19. This act shall not apply to any olives packed prior to October 1, 1931."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Agriculture and Live Stock.

RUSH ORDER TO PRINTER.

On motion of Senator Deuel, the Secretary was directed to issue a rush order for printing Senate Bill No. 681.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 259—An act to amend sections 2, 3 and 4 of chapter 750, Statutes of 1929, entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that amendments be adopted, and be re-referred to Committee on Finance.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 259 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170b, relating to justices of the peace, police court judges and city recorders—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that amendments be adopted, and that it do pass as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 76 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 630—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to fees;

Also: Senate Bill No. 653—An act to repeal section 1443 of the Code of Civil Procedure and to amend section 1444 of the same code, relating to the inventory and appraisement of estates of deceased persons, the appointment of appraisers of such estates, their duties and compensation;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 630 and 653 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 297—An act to amend section 692 of the Code of Civil Procedure, relating to the giving of notice of the sale of property under execution or under the provisions of any deed of trust;

Also; Assembly Bill No. 569—An act to amend sections 172b and 172d of the Civil Code, relating to the sale, mortgage, or lease of community real property by the husband or wife of an insane or incompetent person;

Also; Assembly Bill No. 571—An act to amend sections 1269a and 1269c of the Civil Code, relating to the sale or mortgage of a homestead by the husband or wife of an insane or incompetent person;

Also; Assembly Bill No. 690—An act to amend sections 2934 and 2935 of the Civil Code, relating to the recording of assignments of mortgages and deeds of trust and of subordination agreements and relating to payments by a debtor upon any indebtedness secured by a mortgage or deed of trust after such assignment;

Also; Assembly Bill No. 1357—An act to amend section 675 of the Code of Civil Procedure, relating to satisfaction of judgments;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 297, 569, 571, 690 and 1357 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 251—An act to amend sections 8 and 24 of chapter 303, Statutes of 1921, entitled "An act to reserve all minerals in State lands; to provide for examination, classification, and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the returns and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations, and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," approved May 25, 1921, as amended, relating to the leasing of tide, tidewater overflowed and submerged lands, and the beds of navigable rivers or lakes—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Oil Industries.

Committee membership—7; committee vote: Ayes—7.

EVANS, Chairman.

Senate Bill No. 251 ordered re-referred to Committee on Oil Industries.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 282—An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal chapter 615, Statutes of 1929, entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof," approved May 31, 1929—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Bill No. 282 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 196—An act to add new sections numbered 5b and 5c to and to amend section 10 of the "Narcotic Rehabilitation Act," relating to commitment, transfer, discharge or return of patients to or from the State Narcotic Hospital—has had

the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Bill No. 196 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 730—An act to regulate the examination of applicants for license and the practice of those licensed to treat diseases or other physical or mental conditions of human beings by Christian healing and imposition of hands; to establish a Board of Examiners, to provide for their expenditures and prescribe their powers and duties;

Also: Senate Bill No. 485—An act to amend section 2 of chapter 319, Statutes of 1913, entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" relating to examination fees;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Bills Nos. 730 and 485 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Senators Cleveland, Clock, Ingels, and Christian:

WHEREAS, The present economic conditions existing throughout the State of California have called for strictest economies by our citizens generally; and

It is gratifying to know that they are meeting that situation and readjusting themselves in their various business affairs by making every effort to bring the cost of living within the income and the cost of business operations within the amount available for expenditure.

Taxes for State purposes are a heavy burden in such times and it is the duty of the State officials to do their full part during this important period of readjustment. State expenses should be watched and every effort should be made to prevent the increased cost which is followed by increased taxes. In fact, State officials should attempt to decrease the cost of governmental operations, and we believe that the people of the State of California look upon us as their representatives to assist them in this important program.

Salaries should not be increased at a time when there are plenty of able men and women willing to occupy the offices at the present salaries: therefore, be it

Resolved, by the Senate of the State of California, That it be declared to be the firm policy of the Senate not to favor increases in salaries of public officials at this time, and to discourage all legislation looking to that end.

Resolution referred to Committee on Governmental Efficiency.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following constitutional amendment was offered:

By Senator Cleveland: Senate Constitutional Amendment No. 21—Proposed amendment to article V of the constitution, relative to appointments by the Governor.

Senator Cleveland asked for unanimous consent for the consideration of Senate Constitutional Amendment No. 21, without reference to committee, for purpose of adoption.

Unanimous consent refused.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 353—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 354—An act to amend section 2640 of the Political Code, relating to opening and improving roads.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 25—An act to amend section 2 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended, relating to official bonds of deputies, clerks and subordinate officers in county offices and institutions.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 617—An act to amend section 3881 of the Political Code, relating to assessor maps.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 45—An act to amend sections 2, 3, 4 and 6, and to add a new section to be numbered section 2½, of chapter 210, Statutes of 1901, entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to residence of indigent persons, the bringing of indigents into the State, and the reimbursement of counties for aid advanced indigents.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "stater", and insert in lieu thereof the word "state".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill, strike out the word "five", and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 7, of the printed bill, strike out the words "two years", and insert in lieu thereof the words "one year".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 18, of the printed bill, strike out the words "two years", and insert in lieu thereof the words "one year".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.
THIRD READING OF SENATE BILLS.

Senate Bill No. 13—An act to add a new section to the Penal Code, to be numbered 64a, relating to the filing of initiative or referendum petitions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 13 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 407—An act to add a new section, to be numbered section 693, to the Political Code, relating to the preparation and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, and to repeal "An act relating to the advertising and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the State Board of Control and vesting in the State Board of Control the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore given to any State officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," approved December 18, 1911.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Deuel moved to refer Senate Bill No. 407 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In lines 9 and 10 of the title of the printed bill, as amended in Senate March 5, 1931, strike out "department of finance", and insert in lieu thereof: "board of control".

AMENDMENT NUMBER TWO.

In line 11 of the title of the printed bill, as amended in Senate March 5, 1931, strike out "department of finance", and insert in lieu thereof: "board of control".

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 26 and 27.

AMENDMENT NUMBER FOUR.

On page 2, after line 27, of the printed bill, insert:

"Sec. 2. Chapter 5, Statutes of 1911, extra session, entitled "An act relating to the advertising and publication of notices, publications and advertisements by state offices, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the state board of control and vesting in the state board of control the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore

given to any state officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," is hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 407, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Deuel adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 925—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters.

Bill read third time.

URGENCY CLAUSE.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of facts constituting such urgency: The boards of supervisors of the respective counties have no authority to erect the bridges herein referred to, and it is necessary for the public peace, health and safety that such bridges be constructed immediately.

Under the present provisions of the law there exists in several parts of the State wholly inadequate bridge facilities—their condition is needful of immediate remedy and requires action on behalf of the county boards of supervisors to take such steps as provided in this act as will immediately correct that condition.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—35.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 925 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 152—An act to validate bonds, including refunding bonds, of sanitary districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 152 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman,

Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—36.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 30—An act to amend section 831 of the Code of Civil Procedure, relating to change of place of trial.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 30 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, Williams, and Young—36.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 32—An act to amend section 1579 of the Code of Civil Procedure, relating to notice in certain probate proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 32 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—38.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 50—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 50 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—38.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 147—An act to validate the organization and existence of municipal improvement districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 147 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—38.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 148—An act to legalize bonds heretofore issued and sold, or to be issued and sold, by municipalities where authority for such issuance has already been given by a vote of not less than two-thirds of the electors of such municipalities voting upon the question of incurring such indebtedness and providing for a levy of taxes to pay the principal and interest of such bonds and declaring the urgency of said act.

Bill read third time.

URGENCY CLAUSE.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of facts constituting such urgency: The peace, safety and welfare of the citizens of various cities in this State are dependent upon the immediate acquisition, construction and completion of adequate and safe bridges as a part of the public street systems of such cities, and upon obtaining an adequate supply of water for municipal and domestic use therein. Such cities, or some of them have heretofore taken proceedings to incur bonded indebtedness for the purpose of acquiring, constructing and completing bridges as a part of the public street system of such cities and for securing an adequate supply of water for municipal and domestic use therein; but by reason of minor irregularities in such proceedings, not jurisdictional, such bonds can not now be sold, and for that reason said cities are unable to secure funds with which to acquire, construct and complete such bridges and to secure such water supply. If, however, such irregularities are cured or obviated by this act, such bonds can be sold.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—36.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 148 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED FIFTY-FOUR.

Pursuant to Senator Slater's motion on the preceding legislative day, the Senate took up for further consideration Senate Bill No. 454.

Senate Bill No. 454—An act to amend section 602 of the Penal Code, relating to trespass.

Bill read third time previously.

Motion to refer Senate Bill No. 454 to Special Committee of One, for amendment, carried on preceding legislative day.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 454, with instructions to amend, respectfully reports the same back, amended as per instructions.

MALONEY, Committee.

Report read.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Waggy, Ingels and Mixter on the adoption of the report of Special Committee of One.

The roll was called, and the report of Special Committee of One refused adoption by the following vote:

AYES—Senators Clock, Deuel, Fellom, Inman, Jones, Maloney, Rich, Riley, Rochester, Treacy, Tubbs, and Young—12.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, McKinley, Mixter, Moran, Nelson, Schottky, Sharkey, Slater, Waggy and Williams—24.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 454 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Edwards, Evans, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Schottky, Sharkey, Slater, Waggy, and Williams—24.

NOES—Senators Carter, Clock, Deuel, Duval, Fellom, Inman, Rich, Riley, Rochester, Treacy, Tubbs, and Young—12.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at one o'clock p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, March 9, 1931.

*Hon. Frank F. Merriam, Lieutenant Governor,
President of the California Senate,
State Capitol, Sacramento, California.*

DEAR LIEUTENANT GOVERNOR MERRIAM: Pursuant to and in accordance with an act of Congress of the United States entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929, I am in receipt today of a certificate from Mr. William Tyler Page, Clerk of the House of Representatives of the United States, showing the number of Representatives to which the State of California shall be entitled in the Seventy-third Congress and in each Congress thereafter until the taking effect of a reapportionment of the said act or a subsequent statute.

A copy of the above mentioned certificate is quoted as follows:

"HOUSE OF REPRESENTATIVES,
CLERK'S OFFICE, WASHINGTON, D. C.

I, Wm. Tyler Page, Clerk of the House of Representatives of the United States, hereby certify, pursuant to section 22, subdivision (B), of the act of the Congress of the United States of America entitled "An act to provide for the fifteenth and subsequent decennial censuses and to provide for apportionment of Representatives in Congress," approved June 18, 1929, that the State of California shall be entitled, in the Seventy-third Congress and in each Congress thereafter until the taking effect of a reapportionment under said act or subsequent statute, to twenty (20) Representatives in the House of Representatives of the Congress of the United States.

In witness whereof I hereto affix my name and seal of the House of Representatives of the United States of America this fourth day of March, Anno Domini 1931, in the city of Washington, District of Columbia.

[Seal of the House of
Representatives of the
United States]
(Signed)

WM. TYLER PAGE,

(Clerk of the House of Representatives of the United States.)

Very sincerely yours,

JAMES ROLPH, JR., Governor.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 149—An act to validate the organization and existence of municipal utility districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 149 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Tubbs, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 154—An act to validate bonds of municipal improvement districts, and providing for the levy of a tax to pay the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 154 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 493—An act to amend section 1 of chapter 234, Statutes of 1913, entitled "An act authorizing and empowering any city or county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may

erect public buildings or maintain grounds in connection therewith: and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose," approved June 5, 1913, Statutes of 1913, page 388, to authorize counties, cities and counties and cities to acquire property to be granted to the State of California by purchase or proceedings in eminent domain.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 493 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 181—An act to amend sections 52 and 67 of the California Irrigation District Act, relating to the redemption or purchase of bonds and payment of interest, and to the creation of funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 181 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 157—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 157 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 198—An act to repeal section 32½ of the California Irrigation District Act, relating to election on sale of bonds at less than par.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 198 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Duval, Edwards, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 199—An act repealing chapter 289, Statutes of 1919, entitled "An act to authorize irrigation districts to refund outstanding bonded indebtedness," approved May 25, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 199 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 200—An act to repeal chapter 254, Statutes of 1897, entitled "An act to provide for the issue and sale or exchange of funding bonds of irrigation districts organized under and in pursuance of an act of the Legislature of the State of California entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property and for the distribution of water thereby for irrigation purposes,' approved March 7, 1887, to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 200 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Duval, Edwards, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 202—An act to amend section 39 of the California Irrigation District Act, relating to the levying of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 202 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 203—An act to amend section 6 of the California Irrigation District Act, relating to election on organization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 203 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 278—An act to repeal chapter 341, Statutes of 1919, entitled "An act to be known as 'The California Irrigation Act,' providing for cooperation between the State of California and the United States, and independent proceedings, in the storage and diversion of water, the distribution thereof for irrigation and other beneficial uses and purposes, the generation and manufacture of electric power; creating an Irrigation Board, and providing for the formation of irrigation districts and conservation districts, and the conversion of irrigation districts, reclamation districts, drainage districts and other political subdivisions of the State organized for the purpose of promoting irrigation, reclamation and drainage, into irrigation districts under this act; and empowering said Irrigation Board to make and approve contracts and agreements, to construct reservoirs and other works, divert, distribute and sell water and lease and sell water rights, and generate, lease and sell electric power, to apportion to the constituent units of conservation districts the water and electric power to be produced and generated by conservation district works, to levy assessments, and issue bonds of irrigation districts and conservation districts; providing for the management, control and supervision of such irrigation districts and conservation districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; and generally providing a policy relating to the storage, diversion and use of water and the manufacture or generation of electric power, and adopting a plan for providing revenues therefor; and repealing the California Irrigation Act approved June 4, 1915, and chapter 646 of the Statutes of 1917, approved May 28, 1917, amendatory thereof," approved May 16, 1919.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 278 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 422—An act to repeal sections 683 and 684 of the Political Code, relating to the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 422 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 444—An act to amend sections 2 and 10 of chapter 16, Statutes of 1923, entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 444 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 445—An act to amend sections 2 and 3 of chapter 301, Statutes of 1913, entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, relating to surplus money in the State treasury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 445 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack,

McKinley, Mixter, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 646—An act to transfer all property which was acquired in any manner for the use of the California Industrial Farm for Women to the Sonoma State Home.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 646 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 851—An act to amend sections 3.351, 3.350 and 3.762 of the School Code, to repeal article VIII, embracing sections 3.490 to 3.501, inclusive, of chapter I of part IV of division III thereof, to add a new article to chapter I of part IV of division III thereof to be known as article VIII embracing sections 3.490 to 3.495, inclusive, to add a new article to chapter II of part IV of division III to be known as article VIIa, embracing sections 3.670a to 3.685a, inclusive; to add thereto new sections to be numbered 3.392 and 3.807 and to repeal those acts in this act enumerated and described, all relating to the system of public instruction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 851 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Moran, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 238—An act to amend section 2.1090 of the School Code, relating to the organization of high school district governing boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 238 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 245—An act to amend section 2.1152 of the School Code, relating to the organization of junior college district governing boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 245 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 429—An act to amend section 2079 of the Political Code, relating to allowances to organizations of the National Guard.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 429 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hayes, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 536—An act to amend section 4041f of the Political Code, relating to powers of counties as to facilities for veterans.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 536 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

POSTPONEMENT OF RECONSIDERATION.

Senator Jones asked for, and was granted, unanimous consent to have the reconsideration of the vote by which Senate Bill No. 56 was refused passage postponed until the next legislative day.

CONSIDERATION OF DAILY FILE.

UNFINISHED BUSINESS.

Senate Joint Resolution No. 13—Relative to the water project of California and inviting the Committee on Irrigation and Reclamation of the United States Senate to visit California, and inspect and investigate said project.

On motion of Senator Mixter, Senate Joint Resolution No. 13 was ordered re-referred to Committee on Federal Relations.

RE-REFERENCE OF SENATE BILL.

Senator Jones moved that Senate Bill No. 265 be withdrawn from Committee on Banking, and re-referred to Committee on Judiciary.

Motion carried, and such was the order.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 170—An act to amend section 365*d* of the Political Code, relating to highways;

Also: Assembly Bill No. 595—An act to amend section 694*h* of the Political Code, relating to the State Board of Agriculture;

Also: Assembly Bill No. 598—An act to amend section 2322*c* of the Political Code, relating to county horticultural commissioners;

Also: Assembly Bill No. 169—An act to amend section 900 of the Code of Civil Procedure, relating to the lien of judgments rendered in justices' courts;

Also: Assembly Bill No. 1616—An act to add section 19*r*20 to the Juvenile Court Law, relating to probation officers in counties of the twentieth class;

Also: Assembly Bill No. 1610—An act to add section 19*r*54 to the Juvenile Court Law, relating to probation officers in counties of the fifty-fourth class;

Also: Assembly Bill No. 1611—An act to amend section 16*r*54 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-fourth class;

Also: Assembly Bill No. 1612—An act to amend section 16*r*20 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twentieth class;

Also: Assembly Bill No. 1614—An act to amend section 2322*r*54 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-fourth class;

Also: Assembly Bill No. 1615—An act to amend section 2322*r*20 of the Political Code, relating to the office of agricultural commissioner in counties of the twentieth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 170 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 595 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 169 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 598, 1616, 1610, 1611, 1612, 1614 and 1615 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 34—An act to amend section 537*e* of the Penal Code, relating to the purchase or sale of manufactured articles from which identification marks have been removed;

Also: Assembly Bill No. 545—An act to amend section 46 of the Workmen's Compensation, Insurance and Safety Act, approved May 26, 1913, relating to insurance carriage of the State and certain political subdivisions, public corporations, and quasi public corporations;

Also: Assembly Bill No. 874—An act to amend section 433*j* of the Civil Code, relating to insurance;

Also: Assembly Bill No. 932—An act to amend section 1 of an act entitled "An act to define motor club service, and to define, license and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929;

Also: Assembly Bill No. 126—An act authorizing certain improvements upon the grounds of the California Schools for the Deaf and Blind at Berkeley, California;

Also: Assembly Bill No. 241—An act to amend section 11 of an act entitled "An act to be known as the Juvenile Court Law, and concerning persons under the age of 21 years; and in certain cases providing for their care, custody and maintenance; providing for the probationary treatment of such persons, and for the commitment of such persons to the Whittier State School and the Preston School of

Industry, the California School for Girls, and other institutions; establishing probation officers and a Probation Committee to deal with such persons and fixing the salary thereof; providing for the establishment of detention homes for such persons; fixing the method of procedure and treatment or commitment where crimes have been committed by such persons; providing for the punishment of those guilty of offenses with reference to such persons, and defining such crimes; and repealing the Juvenile Court Law, approved March 8, 1909, as amended by an act approved April 5, 1911, and as amended by an act approved June 16, 1913, and all amendments thereof and all acts or parts of acts inconsistent herewith," approved June 5, 1915, as amended, requiring counties to pay the State in the semiannual settlements with the Controller and for the proper part of each month.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 34 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bills Nos. 545, 874 and 932 read first time, and referred to Committee on Insurance.

Assembly Bill No. 126 read first time, and referred to Committee on Education.

Assembly Bill No. 241 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 201—An act to amend section 19418 of the Juvenile Court Law, relating to salaries and expenses of probation officers and their assistants;

Also: Assembly Bill No. 203—An act to amend section 4247 of the Political Code, relating to salaries and fees of officers in counties of the eighteenth class;

Also: Assembly Bill No. 204—An act to amend section 2322418 of the Political Code, relating to the salary of the county agricultural commissioner, his deputies and inspectors, in counties of the eighteenth class;

Also: Assembly Bill No. 1282—An act to add a new section to be numbered 9418 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the eighteenth class;

Also: Assembly Bill No. 1286—An act to amend section 16418 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eighteenth class;

Also: Assembly Bill No. 1544—An act to amend section 4017 of the Political Code, relating to the consolidation of county offices;

Also: Assembly Bill No. 1038—An act to amend an act entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled "An act to divide the State of California into six fish and game districts," approved March 21, 1911, and all acts or parts of acts inconsistent herewith" approved May 19, 1915," approved May 28, 1917, as amended, by amending section 71 thereof, relating to fish and game district one "S";

Also: Assembly Bill No. 1863—An act to amend sections 1148 and 1193 of the Penal Code, relating to the appearance of the defendant in criminal cases upon the return of the verdict therein and upon the pronouncement of judgment therein.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 201, 203, 204, 1282, 1286 and 1544 read first time, and referred to Committee on County Government.

Assembly Bill No. 1038 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1863 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 717—An act to amend sections 4005c and 4006 of the Political Code, relating to the population and classification of counties, and declaring same an urgency measure;

Also: Assembly Bill No. 1303—An act to amend section 112 and repeal section 1163 of the Code of Civil Procedure, relating to jurisdiction of justices' courts.

Also: Assembly Bill No. 1039—An act providing for the appointment of an additional notary public for the City and County of San Francisco for the accommodation of the inhabitants of said city and county residing at the Presidio of San Francisco;

Also: Assembly Bill No. 1308—An act to amend the Code of Civil Procedure by amending sections 447 and 448 thereof, relating to the pleading of written instruments;

Also: Assembly Bill No. 1309—An act to repeal section 593 of the Code of Civil Procedure;

Also: Assembly Bill No. 1313—An act to add a new section to the Code of Civil Procedure, to be numbered 953e, relating to the power of the court to grant a new trial in the event a stenographic reporter at the trial is unable because of death or other disability to transcribe the phonographic reports as provided in section 953a of said code;

Also: Assembly Bill No. 7—An act establishing certain additional State highways and classifying them as secondary highways.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 717 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 1303, 1039, 1308, 1309 and 1313 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 7 read first time, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 163—An act to amend section 4286 of the Political Code, relating to the compensation of county officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class;

Also: Assembly Bill No. 361—An act to amend section 19r25 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fifth class;

Also: Assembly Bill No. 1320—An act to amend section 16r25, Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fifth class;

Also: Assembly Bill No. 1321—An act to amend section 2322r25 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fifth class;

Also: Assembly Bill No. 1322—An act to add a new section to be numbered 9a25 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing of 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the twenty-fifth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 163, 361, 1320, 1321 and 1322 read first time, and referred to Committee on County Government.

ADJOURNMENT.

At three o'clock and fifteen minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Wednesday, March 11, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, March 11, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 10, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Swing was, on motion of Senator Sharkey, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Mixter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Major Pernier A. Mix of the United States Army, Mrs. Mix of Honolulu and D. E. Huff, director of California State Agricultural Society of Orange, California.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dr. C. E. Herkner, and Jack Friglia, members of city council of Los Banos, and D. E. Bambauer of Los Banos.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. T. Sullivan of San Francisco.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George A. Rogers and Nels Gross of Los Angeles.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Milton Cheney of Colton, California, and Mrs. George S. Biggins of Redlands, California.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 25—An act to amend section 2 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended, relating to official bonds of deputies, clerks and subordinate officers in county offices and institutions;

Also: Senate Bill No. 237—An act to amend section 2.914 of the School Code; to add a new section thereto to be numbered 2.913; to repeal section 2.913 thereof and to repeal chapter 284 of the Statutes of 1929 entitled "An act relating to the holding of school elections in union or joint union school districts," approved May 14, 1929, relating to elections for members of union or joint union school district governing boards;

Also: Senate Bill No. 247—An act to amend section 2.123 of the School Code, relating to the providing of educational facilities by superintendents of schools of counties;

Also: Senate Bill No. 280—An act to amend section 6.4 of the School Code, relating to the payment of assessments levied against real property owned by, or under the control of, boards, of school trustees and city boards of education;

Also: Senate Bill No. 353—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 409—An act to amend sections 1 and 9 of chapter 426, Statutes of 1915, entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," as amended, relating to license fees and the issuance, suspension and revocation of licenses;

Also: Senate Bill No. 498—An act to amend section 2102 of the Political Code, relating to the National Guard;

Also: Senate Bill No. 499—An act to amend section 2098 of the Political Code, relating to the National Guard;

Also: Senate Bill No. 533—An act to amend section 2 of an act entitled "An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the county of Los Angeles which were heretofore transferred to and vested in said the Regents of the University of California by an act entitled 'An act repealing sections 1, 2 and 3 of an act entitled "An act to establish a branch State Normal School," approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the Regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles, continuing regular normal school training courses and providing an appropriation for the support and maintenance thereof,' approved May 23, 1919, and all other properties, real, personal, and mixed, connected therewith or appurtenant thereto, and authorizing said the Regents of the University of California to hold, sell, lease or otherwise deal with the same and to dispose of proceeds realized from said holding, selling, leasing, or otherwise dealing with the same, and repealing all acts or parts of acts in conflict with this act," approved April 12, 1929;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 617—An act to amend section 3881 of the Political Code, relating to assessor's maps;

Also: Senate Bill No. 675—An act to amend the title and sections 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 13a and 14 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," as amended to add thereto a new section to be numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor, and providing that this act shall take effect immediately;

Also: Senate Bill No. 847—An act to repeal chapter II, embracing sections 4.760 to 4.864, both inclusive, of part IV of division IV of the School Code and to add thereto a new chapter to be known as chapter II, embracing sections 4.760 to 4.833, both inclusive, relating to the apportionment of State and county elementary school funds;

Also: Senate Bill No. 848—An act to amend sections 6.61, 6.260, 6.440, 6.441, 6.452, 6.732 and 6.751 of the School Code; to add thereto new sections to be numbered 6.101, 6.204, 6.470-1, 6.470-2 and 6.733; to add a new article to chapter II of part I of division VI thereof, to be known as article VIa, embracing section 6.90a; a new article to chapter IV of part I of division VI thereof, to be known as article IIIa embracing sections 6.190a to 6.194a, both inclusive; to repeal article I, embracing sections 6.370 to 6.376, both inclusive, article III, embracing sections 6.390 to 6.393, both inclusive, article IV, embracing sections 6.400 to 6.408, both inclusive, article V, embracing sections 6.420 to 6.429, both inclusive; all of chapter V, of part II of division VI thereof; to add to chapter V of part II of division VI thereof, a new article to be known as article I, to embrace sections 6.370 to 6.375, both inclusive; a new article to be known as article III, to embrace sections 6.390 to 6.391, both inclusive; a new article to be known as article IV, embracing sections 6.400 to 6.409, both inclusive; a new article to be known as article V, to embrace sections 6.420 to 6.424, both inclusive; to repeal section 6.62 thereof, and to repeal all those acts and parts of acts in this act enumerated and described all relating to the environment and equipment of the public school system;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 849—An act to amend section 5.401, 5.460, 5.461, 5.802, 5.810 and 5.1071 of the School Code; to repeal chapter VI, embracing sections 5.630 to 5.634, both inclusive, of part III of division V thereof; to add a new chapter to part III of division V thereof, to be known as chapter VI, embracing sections 5.630 to 5.634, both inclusive; to add thereto new sections to be numbered 5.112, 5.383, 5.532, 5.804, 5.815; to add thereto a new part to be known as part V of division V thereof, embracing sections 5.1100 to 5.1138, both inclusive; to repeal section 5.814, and to repeal those acts in this act enumerated and described, all relating to the teaching and supervisory force of the public school system;

Also: Senate Bill No. 852—An act to amend sections 2.310, 2.500, 2.600, 2.670 to 2.674, inclusive, 2.690, 2.691, 2.750, 2.830, 2.877, 2.913, 2.1021, 2.1058, 2.1061, 2.1130, 2.1131, 2.1391, 2.1435, 2.1440 to 2.1443, inclusive, 2.1463, 2.1466 and 2.1468 of the School Code; to add thereto new sections to be numbered 2.21, 2.1095, 2.1111, 2.1321, 2.1399 to 2.1401, inclusive, 2.1444 to 2.1446, inclusive, and 2.1469; to add a new article to chapter VI of part I of division II thereof to be numbered article VIIIa embracing sections 2.440a to 2.454a, inclusive; to add a new article to chapter XI of part I of division II thereof, to be numbered article VIa embracing sections 2.730a to 2.738a, inclusive; to add a new article to chapter I of part V of division II thereof to be numbered article V embracing section 2.1520; to repeal sections 2.1392 to 2.1398, inclusive, and sections 2.1132 and 2.1133 thereof, and to repeal those acts in this act enumerated and described, all relating to the administrative organization of the public school system;

And reports that the same have been correctly engrossed.

RILEY, Chairman

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 676—An act to amend sections 2 and 3 of chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, and providing that this act shall take effect immediately;

Also: Senate Bill No. 844—An act to amend section 3.292 of the School Code, relating to high school districts;

And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 336—An act to amend section I of chapter 763, Statutes of 1929, entitled "An act authorizing California Toll Bridge Authority and the Department of Public Works of the State of California to lay out, acquire and construct a highway crossing from the city of San Francisco across the bay of San Francisco to the county of Alameda and providing for the payment of the cost thereof," approved June 10, 1929, relating to the cost of said bridge and its adoption as a State highway—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass, as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

EDWARDS, Chairman.

Senate Bill No. 336 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 317—An act to amend section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," as amended, relating to bridge and highway districts; and declaring this act to be an urgency measure—has had the

same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

EDWARDS, Chairman.

Senate Bill No. 317 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates and preliminary engineering for a bridge across the bay of San Francisco—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended, and be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—10; absent—3.

EDWARDS, Chairman.

Senate Bill No. 337 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 692—An act to amend sections 2, 5, 6, and 8 of chapter 795, Statutes of 1927, entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," relating to the issuing of, accounting for, compensation for issuing, duration of, and mode of applying for hunting and fishing licenses and the definition of game fishes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—13; absent—2.

YOUNG, Chairman.

Senate Bill No. 692 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 324—An act to add a new section to the Penal Code, to be numbered 6260½, relating to the protection of fish;

Also: Senate Bill No. 690—An act to repeal chapter 413, Statutes of 1915, entitled "An act to regulate the issuance and sale of licenses for resale to hunters and anglers," as amended;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—15; committee vote: Ayes—13; absent—2.

YOUNG, Chairman.

Senate Bills Nos. 324 and 690 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—15; committee vote: Ayes—9; noes—4; absent—2.

YOUNG, Chairman.

Senate Bill No. 286 ordered on file for second reading.

ON PUBLIC CHARITIES AND CORRECTIONS.

SENATE CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Senate Bill No. 261—An act to repeal chapter 172, Statutes of 1893, entitled "An act to provide for the appointment of guardians of children maintained in any orphans home or orphan asylum in this State," approved May 23, 1893—has

had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Judiciary.

(Signed out)

MORAN, Chairman.
INGELS.
PEDROTTI.
RILEY.
WILLIAMS.

Senate Bill No. 261 ordered re-referred to Committee on Judiciary.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 9, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 930—An act to add a new section to the Penal Code to be numbered section 347b, relating to the sale and use of fluid extract of Jamaica ginger or any preparation or compound containing triorthocresyl phosphate, and declaring the urgency thereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

WILLIAMS, Chairman.

Senate Bill No. 930 ordered on file for second reading.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved. That the Controller be and he is hereby ordered and directed to draw his warrant on the contingent fund of the Senate in favor of the Secretary of the Senate for the sum of \$1,465.12, to pay the amounts as itemized below, and the Treasurer is hereby directed to pay the same:

State Supply Department.....	\$480 64
Geo. N. Hammond Typewriter Company, typewriter rent.....	109 34
H. S. Crocker Company.....	197 31
State Department of Finance, Senate pro rata of Capitol telephone exchange service for January and February, 1931.....	50 48
Cascade Towel Supply Company.....	16 50
Ring Up Rivett, cleaning and repairing Senate carpet.....	31 60
Bancroft Whitney Company.....	109 20
Postage.....	300 00
Western Union Company, telegraphing resolutions to Washington, and telegraph service for months of January and February, 1931.....	97 68
Postal Telegraph Company.....	3 12
Pacific Telegraph and Telephone Company.....	69 25
	\$1,465 12

(Signed out)

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Maloney moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

RESOLUTION.

The following resolution was offered:

By Senators Rochester, Hays, Schottky, Inman, Rich, Ingels, Riley, Pedrotti, Bush, Allen, Sharkey, Moran, Harper, Cassidy, Slater, Treacy.

Maloney, Tubbs, Jones, McCormack, Carter, Crittenden, Breed, Fellom and Nelson:

WHEREAS, The Hon. Hiram W. Johnson, senior member of the Senate of the United States from California, will soon arrive in California upon his return from Washington; and

WHEREAS, He has rendered distinguished service to State and nation, as a citizen and in public office, including his indefatigable and successful efforts in fostering legislative measures for the protection of the industries and the promotion of the welfare of the people of the State; now, therefore, be it

Resolved by the Senate of the State of California, That the Hon. Hiram W. Johnson is hereby invited to address the Senate upon his return to California; and be it further

Resolved, That the Secretary of the Senate be, and he is instructed forthwith to transmit a copy of this resolution to United States Senator Hiram W. Johnson, and request that he notify the President of the Senate when it will be convenient for him to appear if he desires to accept the invitation tendered by this body.

Resolution read, and on motion of Senator Rochester adopted.

MOTION BY SENATOR INMAN.

Senator Inman moved, seconded by Senator Rich, that the President of the Senate appoint a Special Committee to make the necessary arrangements for Senator Johnson's address before the Senate, or the Senate and Assembly in joint convention.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 262—An act to repeal chapter 663, Statutes of 1929, entitled "An act concerning the guardianship of incompetent veterans and of minor children of dependent or deceased veterans and the commitment of veterans and to make uniform the law with reference thereto," approved June 3, 1929 has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Judiciary.

Committee membership—11.

HAYS, Chairman.

Bill read second time, and ordered re-referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 259—An act to amend sections 2, 3 and 4 of chapter 750, Statutes of 1929, entitled "An act creating a commission to codify, consolidate, revise or compile the Statutes of California and to report thereon to the Legislature at the forty-ninth session thereof," approved June 10, 1929, further defining the powers and duties of the California Code Commission.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the title of the printed bill, strike out the words and figures "sections 2, 3 and 4 of chapter 750, statutes of 1929," and insert in lieu thereof the following: "the title and sections 2, 3, 4 and 6 of an act".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill, after the word "commission", insert the following: "and making an appropriation therefor".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. The title of the act cited in the title hereof is hereby amended to read as follows:

An act creating a commission to codify, consolidate, revise or compile the statutes of California and to report thereon to the Legislature at the fiftieth session thereof, and making an appropriation therefor.

SEC. 2. Section 2 of said act".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 4, of the printed bill, strike out said line 4, and insert in lieu thereof the following:

"SEC. 3. Section 3 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, strike out lines 22 to 27, inclusive, and insert in lieu thereof the following:

"SEC. 4. Section 4 of said act is hereby amended to read as follows:

Sec. 4. The commission shall submit its report, including its recommendations as to revision of the laws in bill form, to the governor and the Legislature at the fiftieth session of the Legislature, and shall distribute the report to the governor."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 29, of the printed bill, strike out "reports", and insert in lieu thereof the following: "report".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, after line 32, of the printed bill, add the following:

"SEC. 5. Section 6 of said act is hereby amended to read as follows:

Sec. 6. The legislative counsel shall be the secretary of the commission and the commission shall have power to employ and fix the compensation of such clerical and other assistants as may be necessary. Out of any money in the state treasury not otherwise appropriated the sum of fifty thousand dollars is hereby appropriated to be expended in accordance with law by the commission in carrying out the provisions of this act."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170*b*, relating to justices of the peace, police court judges and city recorders.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 196—An act to add new sections numbered 5*b* and 5*c* to and to amend section 10 of the "Narcotic Rehabilitation Act," relating to commitment, transfer, discharge or return of patients to or from the State Narcotic Hospital.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 630—An act to amend section 2 of an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating

a State Corporation Department and the office of Commissioner of Corporations," approved May 18, 1917, as amended, relating to fees.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 8, of the printed bill, strike out "undrewriting", and insert in lieu thereof "underwriting".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 10, of the printed bill, insert after the word "public", the following: "; *provided, however,* that the word "broker" shall not include a member in good standing of a regularly organized, established and operating stock exchange".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 17, of the printed bill, after the word "security", insert the following: "listed and continuing to be listed on a regularly organized, established and operating stock exchange,".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 653—An act to repeal section 1443 of the Code of Civil Procedure, and to amend section 1444 of the same code, relating to the inventory and appraisement of estates of deceased persons, the appointment of appraisers of such estates, their duties and compensation.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, amend section 2 of said bill by adding thereto the following paragraph, following line 4:

"Sec. 1444. Every executor or administrator must within three months after his appointment make a true inventory of all of the estate of the decedent, including the homestead, if any, which has come to his possession or knowledge. Said inventory must be delivered to the appraiser or appraisers appointed by the court or judge thereof as herein provided. To make the appraisement, the court or judge thereof, must appoint a disinterested person, who shall be one of the inheritance tax appraisers provided by law, provided that upon the written petition of any person interested in the estate and for good cause shown after notice to the executor or administrator, the court may appoint three appraisers, one of whom must be an inheritance tax appraiser. Each appraiser is entitled to receive from each estate which he appraises compensation not to exceed ten dollars per day for services to be allowed by the court or judge (together with his actual and necessary expenses). The appraiser or appraisers, if more than one, must return to the executor or administrator, within sixty days after the receipt thereof, the inventory of the estate, together with the appraisement thereof, and an itemized and verified account of his or their services and disbursements; *provided, however,* the court may, upon notice to the executor or administrator and for good cause shown before the expiration of said sixty days, extend the time for the return to the executor or administrator of the inventory and said appraisement not exceeding sixty additional days. Within one month after the receipt of the inventory from the appraiser or appraisers, the executor or administrator must file the same in the court having jurisdiction of the estate. If any part of the estate is in any other county than that in which letters were issued, an appraiser or appraisers thereof may, in the manner as above provided, be appointed by the court or judge having jurisdiction of the estate, or by the court or judge of such other county, at the request of the judge or court having jurisdiction. No clerk or deputy nor any person related by consanguinity or affinity or connected by marriage with or being a partner, or an employee of the judge

or the court shall be appointed or shall be competent to act as appraiser of any estate or in any matter or proceeding pending before such court or in said court."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 282—An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal chapter 615, Statutes of 1929, entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof," approved May 31, 1929.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, strike out the words "in turn deposited in the state", and insert in lieu thereof the words "paid to the".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of line 15.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, strike out the word "tion", and the period following said word, and strike out the semicolon following the word "relations", and add the following: "for credit to the general fund;"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 730—An act to regulate the examination of applicants for license and the practice of those licensed to treat diseases or other physical or mental conditions of human beings by Christian healing and imposition of hands; to establish a Board of Examiners, to provide for their expenditures and prescribe their powers and duties.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "where", insert the following: "Christian".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "healing", insert the following: "by".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, after the word "practitioner", insert the following: "by prayer and imposition of hands, and/or anointing with oil and prayer".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, strike out the word "church", and insert in lieu thereof the word "Christian".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 12, of the printed bill, after the word "healing", insert the following: "by prayer and imposition of hands, and/or anointing with oil and prayer".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 21, of the printed bill, strike out the word "funds", and insert in lieu thereof the word "expense".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 6, of the printed bill, strike out the word "on", and insert in lieu thereof the word "in".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 6, of the printed bill, strike out the word "securities", and insert the word "sureties".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 7, of the printed bill, strike out the words "the board shall deem proper", and insert the words "required by law for public officers."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 17, of the printed bill, after the word "board", insert the following: "within".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 18, of the printed bill, strike out the words "the passage of".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 18, of the printed bill, after the word "act", insert the following: "is in effect".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 27, of the printed bill, strike out the following words: "from among themselves", and insert in lieu thereof "who shall be members of said board".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 28, of the printed bill, strike out the word "occur", and insert the following: "beheld".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 2, line 37, of the printed bill, after the word "such", insert the word "other".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 45, of the printed bill, strike out the word "and", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 46, of the printed bill, strike out all of line 46, and insert in lieu thereof the following: "imposition of hands, and/or anointing with oil and prayer".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 50, of the printed bill, after the word "practice", insert the word "Christian".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 2, line 50, of the printed bill, after the word "healing", insert the following: "by prayer and imposition of hands, and/or anointing with oil and prayer".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, line 7, of the printed bill, after the word "healing", insert the following: "by prayer and imposition of hands, and/or anointing with oil and prayer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 9, of the printed bill, after the word "practitioner", insert the following: "by prayer and imposition of hands, and/or anointing with oil and prayer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 11, of the printed bill, insert before the word "anointed", the following: "and/or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 13, of the printed bill, strike out the word "upon".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 14, of the printed bill, strike out the following: "these grounds: to wit, the employment of", and insert in lieu thereof, the following: "for".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 16, of the printed bill, after the word "and", insert the word "or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 3, line 20, of the printed bill, strike out the word "counties", and insert in lieu thereof the following: "county".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 3, line 27, of the printed bill, after the word "healing", insert "by prayer and imposition of hands, and/or anointing with oil and prayer".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 3, line 35, of the printed bill, strike out the word "the".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 3, line 41, of the printed bill, after the word "healing", insert the following: "by prayer and imposition of hands, and/or anointing with oil and prayer".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 3, line 49, of the printed bill, strike out the following: "as may be otherwise provided by law".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 3, line 50, of the printed bill, after the word "the", insert quotation marks, and also after the word "healing", on line 51, insert quotation marks.

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 4, line 3, of the printed bill, strike out all of line 3, and insert in lieu thereof the following: "school which teaches Christian healing by prayer and imposition of hands, and/or anointing with oil and prayer."

Amendment adopted.

TITLE AMENDMENT.

In line 4 of the title of the printed bill, after the word "hands", insert the following: "and/or anointing with oil and prayer".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 297—An act to amend section 692 of the Code of Civil Procedure, relating to the giving of notice of the sale of property under execution or under the provisions of any deed of trust.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 569—An act to amend section 172*b* and 172*d* of the Civil Code, relating to the sale, mortgage, or lease of community real property by the husband or wife of an insane or incompetent person.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 571—An act to amend sections 1269*a* and 1269*c* of the Civil Code, relating to the sale or mortgage of a homestead by the husband or wife of an insane or incompetent person.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 690—An act to amend sections 2934 and 2935 of the Civil Code, relating to the recording of assignments of mortgages, deeds of trust and of subordination agreements.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1351—An act to add a new section to the Political Code, to be numbered 3627*b*, relating to notice of increase in assessed value of property.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 266—An act to amend sections 4181 and 4182 of the Political Code.

relating to the duties of the public administrator has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Judiciary.

Committee membership—9.

WAGY, Chairman.

Senate Bill No. 266 ordered re-referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 844—An act to amend section 3.292 of the School Code, relating to apportionments of State and county funds to high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 844 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 7—Relative to establishment of a State Prison in one of the southern counties of the State of California.

AMENDMENT FROM THE FLOOR.

During the reading of Senate Concurrent Resolution No. 7, the following amendment was offered, and its adoption moved by Senator Evans:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Senate March 5, 1931, strike out lines 12 to 28, inclusive, and on page 2 of said bill, strike out lines 1 to 33, inclusive, and insert in lieu thereof the following:

"WHEREAS, A commission was constituted to relieve this condition (chapter 684 statutes of 1929), by the selection and purchase of a suitable site for a prison in southern California; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That it is the intent of this Legislature that the said commission should immediately proceed to select and purchase such prison site as directed and empowered under the provisions of chapter 684, statutes of 1929."

SPECIAL ORDER.

Senator Slater moved that the amendment offered by Senator Evans to Senate Concurrent Resolution No. 7, be made a special order for the twelfth day of March, 1931, at eleven o'clock and thirty minutes a.m.

Motion carried.

Senate Bill No. 890—An act to amend section 626m of the Penal Code, relating to hunting and fishing at night.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Clock moved to refer Senate Bill No. 890 to Senator Young, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the words "and the equipment so used and the vehicle to which such equipment is affixed or attached may be confiscated by the state."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 890, with instructions to amend, respectfully reports the same back, amended as per instructions.

YOUNG, Committee.

Report read, and on motion of Senator Clock, adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 144—An act to amend section 5.582 of the School Code, relating to joint teachers institutes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 144 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 237—An act to amend sections 2.913 and 2.914 of the School Code and to repeal chapter 284 of the Statutes of 1929, entitled "An act relating to the holding of school elections in union or joint union school districts," approved May 14, 1929, relating to elections for members of union or joint union school district governing boards.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 237 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 247—An act to amend section 2.123 of the School Code, relating to the providing of educational facilities by superintendents of schools of counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 247 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 280—An act to amend section 6.4 of the School Code, relating to the payment of assessments levied against real property owned by, or under the control of, boards of school trustees and city boards of education.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 280 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 498—An act to amend section 2102 of the Political Code, relating to the National Guard.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 498 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 499—An act to amend section 2098 of the Political Code, relating to the National Guard.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 499 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 353—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 353 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney,

McKinley, Mixer, Moran, Pedrotti, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 617—An act to amend section 3881 of the Political Code, relating to assessor maps.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 617 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

POSTPONEMENT OF RECONSIDERATION.

Senator Jones asked for, and was granted, unanimous consent to have the reconsideration of the vote by which Senate Bill No. 56 was refused passage, postponed until the next legislative day.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON PUBLIC CHARITIES AND CORRECTIONS.

SENATE CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: Your Committee on Public Charities and Corrections, to which was referred Senate Bill No. 261—An act to repeal chapter 172, Statutes of 1893, entitled "An act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State," approved May 23, 1893—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Judiciary.

Committee membership—5.

MORAN, Chairman.

Senate Bill No. 261 ordered re-referred to Committee on Judiciary.

APPOINTMENT OF SPECIAL COMMITTEE BY THE PRESIDENT.

In accordance with Senator Inman's motion that the President of the Senate appoint a Special Committee to make arrangements for Senator Johnson's address before the Senate, or Senate and Assembly in Joint Convention, the President announced the appointment of Senators Rochester, chairman; Inman and Ingels.

ADJOURNMENT.

At twelve o'clock and thirty-two minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Thursday, March 12, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, March 12, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clook, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 11, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to the teachers and pupils of Stanford Junior High School of Sacramento, as follows: Mrs. Francis and Mrs. Dunlap, teachers, and students as follows: Clara Mohr, Hisako Abe, Joy Riggs, Lawrence Weaver, Teddy W. Johnson, Geneva Meyers, Wilma Eubanks, Hermona Click, Margery Jordan, Thelma Hayes, Lillian Flint, Betty Berkley, Phyllis Fritze, Wilhelmina Ott, Mary Collins, Jimmie Clayton, Bill Jeffery, James Wilson, Jane Houston, Betty Thomas, Margaret Savage, Dorothy Wolff, Carolyn Fowler, Ethel Newton, Mori Makishima, Marion White, Esther Hendrix, Ellamae Laughlin, Margaret Boyd, Kathleen Daggett, June Plumer, Madeline Bogner, Dorothy Cole, Catherine Wardle, Frances Mack, Albert Simmons, Nadia Doudnik, Minnie Lou Newton, Helen Steckman, Helen Townsend, Rose Preitkis, Frances Ruzir, Chloe Collins, Barbara Smith, Melba Davis, Linnie Wilbur, Dorothy Monroe, Lula June Nichols, Willie Bodkin, Raymond Jones, Andrew Flint, Earl Christian, Robert Schefer, Julius Marchi, Bob Blanas, Elwood Hughes, Ross Grimm, Donald Larson, Dorothea Lewis, Anna Freitag, Elsie McManus, Ruth Strickland, Frieda Lalber, Florence Cronkhite, Alice Sharnier, Thais Burns, Marion Velasich, Billy Lewis, Alta Hughson, Evelyn Maxfield, Faye Hartzell, Berenice Wood, Majel McDonald, Constantine Economod, Harold Benton, Nadeen Bratton, Genevieve Smith, Audrey Corrigan, Vesta Summers, Margaret Schmitt, Ilse Alpers, Elizabeth Cox, Leland Culver, Marguerite Lopez, Annie Weisgerber, Dan Cameron, Donald Loomer, Bobby Anderson, Edward Hagus, Aletha Rossi, Martha Mayhood, Lillian Harris, Elsie Schuffler, Marie White, Marjorie Corbett, Elsie James, Leslie Smith, Jack Rasmussen, Walter Kolthoff, Willis Sharp, Richard Mathews, Wallace Brady, Tom Sagar, Stanley Silva, Edward Shapp, Beth Gatten and David Boles.

This policy has not been since departed from, is now set forth in the provisions of section 1589 of the Penal Code, and in practice has been pursued in a number of instances.

It is to be noted that in the case of *People vs. Bigelow*, supra, the defendant had, prior to the conviction in that case, been convicted in a federal court of a felony, to wit, the violation of the Harrison Narcotic Act, and the court, noting section 17 of the Penal Code, expressed the view that the former conviction of the defendant was of an offense punishable by imprisonment in the State Prison of this State; that in fact after the commission of such former offense he was sentenced to imprisonment in a federal penitentiary; but that the trial court had committed no error in imposing sentence upon the defendant as being one who had theretofore been convicted of a felony. It is true that in that case the court also noted sections 666, 667 and 668 of the Penal Code, which in substance provide that one who has been convicted of a former offense, which, if committed within this State, would be punishable by imprisonment in the State Prison, is punishable for any subsequent crime committed by him within this State by a punishment more severe than if theretofore he had not suffered such prior conviction. In connection therewith, the court noted that while the so-called State Poison Act under which the defendant was charged was not the counterpart of the Harrison Narcotic Act, yet it announced the same general conduct and provided various penalties for the infraction thereof, ranging from fines, or imprisonment in the county jail, to imprisonment in the State Prison. It was in connection therewith that the court noted section 17 of the Penal Code, and expressed the view that if the punishment is one for which imprisonment could have been had in the State Prison of this State the crime is a felony. So here, the crime for which the person referred to by you was convicted in the federal court was a crime for which he could have been imprisoned in the State Prison of this State under the acts of Congress and of the Legislature of this State heretofore noted, though, in fact, he was not for that crime imprisoned in the State Prison of this State.

It is also to be noted that in other instances where the fact of former conviction of a felony becomes a matter of inquiry, as for example, in a prosecution under the Concealed Weapons Act (Stats. 1923, p. 695), and in the impeachment of a witness (section 2051, C. C. P.), it has been regarded as immaterial whether such previous conviction of a felony was in this State or in another state.

Thus, in the case of *People vs. Camperlingo*, 69 Cal. App., 466, the defendant was convicted of the offense of having in his possession a pistol after a previous conviction of a felony. In that case, the previous conviction was in another state, and such conviction was admitted in evidence, the court finding that the allegation contained within the indictment was supported by the evidence and the verdict in that particular legally unassailable.

In the case of *People vs. Hardwick*, 204 Cal. 582, it appears that during the trial, for the purpose of impeaching a witness who was the defendant, evidence was introduced establishing that he had been convicted of the offense of manslaughter in the state of Oklahoma. He therefore sought to introduce an unconditional pardon by the governor of that state, but the trial court excluded such pardon. The Supreme Court held that while the pardon should have been admitted in evidence, yet both the fact of the conviction and the fact of the pardon should have been permitted to go to the jury for them to consider in determining the credibility of the witness.

From your communication, it appears that the person referred to by you was convicted of a felony in California in 1912, and sentenced to San Quentin; that later he was convicted in the federal court in California of violating the Harrison Narcotic Act, which was also a felony. Though the latter conviction was not in fact followed by a punishment of imprisonment in this State, the offense for which such conviction was had in a federal court in this State was one which could have been punished by imprisonment in the State Prison of this State. This brings such person, in my opinion, within the provisions of section 1 of article VII of the California constitution, and as he was a person who had been twice convicted of a felony he could not be granted a pardon unless upon the written recommendation of a majority of the judges of the Supreme Court.

Very truly yours,

(Signed)

U. S. WEBB, Attorney General.

By JESS HESSON, Deputy Attorney General.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 53—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the

State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Bill No. 53 read first time, and referred to Committee on Finance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1025—An act to amend section 1205 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference in claims against the estate of deceased persons to not exceeding \$300 for each worker for work done within 90 days prior to such death and providing procedure for the enforcement of such claims;

Also: Assembly Bill No. 151—An act to amend sections 1205 and 1446 of the Penal Code, relating to judgments directing imprisonment for satisfaction of fines and providing for payment of fines within a limited time or in installments in certain cases;

Also: Assembly Bill No. 480—An act to amend section 627 of the Penal Code, relating to trespass;

Also: Assembly Bill No. 494—An act to amend section 308 of the Penal Code, relating to the sale of tobacco to minors;

Also: Assembly Bill No. 600—An act to amend sections 2319a and 2319b of the Political Code, relating to the duties of the State Commissioner of Horticulture;

Also: Assembly Bill No. 362—An act to amend section 4254 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-fifth class;

Also: Assembly Bill No. 72—An act to amend section 1607 of the Penal Code, relating to the medical treatment of prisoners;

Also: Assembly Bill No. 147—An act to amend section 4 of chapter 740, Statutes of 1927, entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of bonds of municipal water districts and bridge and highway districts as security.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1025 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 151 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bills Nos. 480 and 494 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 600 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 362 read first time, and referred to Committee on County Government.

Assembly Bill No. 72 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 147 read first time, and referred to Committee on Banking.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 242—An act to amend sections 2187, 2240 and 2255 of the Political Code, relating to county settlements with the State for maintenance of inmates in institutions and of pupils at the California School for the Deaf and the California School for the Blind;

Also: Assembly Bill No. 487—An act to amend sections 3 and 8 of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, as amended, relating to the State Board of Architectural Examiners;

Also: Assembly Bill No. 549—An act to amend section 363 of the Political Code, relating to the Department of Public Works;

Also: Assembly Bill No. 1447—An act to amend section 368 of, and to add section 587 to, the Political Code, both relating to, etc.;

Also: Assembly Bill No. 1451—An act to amend section 2 of the "Building and Loan Commission Act," relating to the tenure of office of the Building and Loan Commissioner;

Also: Assembly Bill No. 1735—An act authorizing and empowering the Director of Finance to convey real property belonging to the State of California to the San Francisco Neighborhood Association, a corporation.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 242 read first time, and referred to Committee on Public Charities and Corrections.

Assembly Bills Nos. 487, 549, 1447, 1451 and 1735 read first time, and referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 45—An act to amend sections 2, 3, 4 and 6, and to add a new section to be numbered section 2½, of chapter 210, Statutes of 1901, entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to residence of indigent persons, the bringing of indigents into the State, and the reimbursement of counties for aid advanced indigents;

Also: Senate Bill No. 131—An act to amend section 651d of the Civil Code, relating to the conferring of academic or professional degrees;

Also: Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or making available, of public lands in certain instances to memorial districts for such purposes;

Also: Senate Bill No. 850—An act to amend sections 4.52, 4.380, 4.381, 4.382, 4.452, 4.490, 4.630, 4.774, of the School Code; to add thereto new sections to be numbered 4.281, 4.383, 4.384, 4.469, 4.491, 4.492, 4.762-1 and 4.778-1; to add a new article to chapter I of part III of division IV thereof, to be known as article 1a and to embrace sections 4.280a to 4.284a, both inclusive, and to repeat those acts in this act enumerated and described, all relating to the financial support of the public school system;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 407—An act to add section to be numbered section 693 to the Political Code, relating to the preparation and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, and to repeal "An act relating to the advertising and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the State Board of Control and vesting in the State Board of Control the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore given to any State officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," approved December 18, 1911;

Also: Senate Bill No. 691—An act to amend section 28 of chapter 643, Statutes of 1917, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith,' approved May 19, 1915," approved May 28, 1917; And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be referred to this committee.

Committee membership—13; committee vote: Ayes—10; absent—3.

NELSON, Chairman.

Senate Bill No. 368 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 145—An act to amend section 3627 of the Political Code, relating to the taxation of securities and solvent credits, has had the same under consideration, and respectfully reports the same back, and recommends that the same do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

NELSON, Chairman.

Senate Bill No. 145 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, school districts and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, prescribing the duties of the officers thereof in such cases, authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect them against such liability, and repealing chapter 328, Statutes of 1923, entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances, approved June 13, 1923," limiting the liability of municipalities, counties, cities and counties, school districts, or other public or quasi public corporations for the negligence of their respective officers in certain instances;

Also: Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers, prescribing the duties of claimants in such cases, authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability, and repealing chapter 360, Statutes of 1919, entitled "An act relating to the liability in damages of the officers of districts, towns, cities, counties and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," relating to the liability in damages of the officers of districts, towns, cities and counties, counties, and of the State of California;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARTER, Chairman.

Senate Bills Nos. 52 and 53 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Joint Resolution No. 11—Relative to accepting permit from the government of the United States for the construction of approach roads and toll collection areas over certain rights of way leading to the Golden Gate Bridge and relating to the retrocession by the Congress of the United States of jurisdiction over the said rights of way, approach roads, toll areas, bridge ends, and bridge—and

reports that the same has been correctly enrolled and presented to the Governor on the eleventh day of March, at three o'clock p.m.

RILEY, Chairman.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 11, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 517—An act to amend sections 674, 675, 679 and 680 of, and to add section 658a to, the Political Code, relating to the Department of Finance;

Also: Senate Bill No. 671—An act to amend section 2 of chapter 12, Statutes of 1911, entitled "An act providing for the management of the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park," relating to the compensation of wardens;

Also: Senate Bill No. 12—An act to amend section 2 of chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define the State park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the State park system;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Senate Bills Nos. 517, 671 and 12 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 471—An act to amend section 642 of the Political Code, relating to the duties of the Fish and Game Commissioners;

Also: Senate Bill No. 84—An act to amend section 1 of chapter 322, Statutes of 1913, entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, as amended, relating to the Legislative Counsel of California;

Also: Senate Bill No. 685—An act authorizing the Department of Finance to sell all of the right, title and interest of the State of California in and to certain real property situate in the county of San Joaquin, State of California;

Also: Senate Bill No. 430—An act to add a new section to be numbered 7b to chapter 648, Statutes of 1909, entitled "An act to form agricultural districts to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," as amended, relating to the use and disposition of moneys and funds of district agricultural associations;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Senate Bills Nos. 471, 84, 685 and 430 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 571—An act to provide for the study of certain matters relating to crime, criminals, and penal laws, by the University of California;

Also: Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor;

Also: Senate Bill No. 438—An act to add four new sections to the Political Code, to be numbered 690a, 690b, 690c, and 690d, relating to the Division of Land Settlement and the State Department of Finance;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Senate Bills Nos. 571, 683 and 438 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 42—An act to add a new section to the Code of Civil

Procedure of California, to be known as section 66a, relating to judges of the superior court in San Diego County, and to repeal certain acts therein named—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Senate Bill No. 42 ordered on file for second reading.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 4—Relative to the Interstate Commerce Commission urging upon the railroad companies the necessity of through passenger car service between the Atlantic and Pacific coasts;

Also: Senate Joint Resolution No. 12—Relative to memorializing Congress to make an emergency appropriation as a loan to the Federal Reclamation Fund; Has had the same under consideration, and respectfully reports the same back, and recommends that they be adopted.

Committee membership—5; committee vote: Ayes—5.

SCHOTTKY, Chairman.

Senate Joint Resolutions Nos. 4 and 12 ordered on second reading file.

Also:

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 3—Relative to hours of employment of persons on interstate carriers—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—5; committee vote: Ayes—4; noes—1.

SCHOTTKY, Chairman.

Senate Joint Resolution No. 3 ordered on second reading file.

RE-REFERENCE OF SENATE BILL.

Senator Inman asked for, and was granted, unanimous consent to have Senate Bill No. 6 withdrawn from Committee on Education, and re-referred to Committee on Universities and Teachers Colleges.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Jones moved to reconsider the vote whereby Senate Bill No. 56—An act to add two new sections to the Penal Code, to be numbered 597b and 597i, relating to the cropping of the ears of dogs—was refused passage.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 56 was refused passage, carried by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Douel, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—Senator Ingels—1.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Harper moved to refer Senate Bill No. 56 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "two new sections", and insert in lieu thereof: "a new section".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "and 597i".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, strike out lines 6 to 27, inclusive, and on page 2, lines 1 to 19, inclusive, and insert in lieu thereof the following: "of any dog;

unless such cutting or cropping is done while the animal is under an anesthetic and is performed by a regularly licensed veterinarian, shall be guilty of a misdemeanor."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 56, with instructions to amend, respectfully reports the same back, amended as per instructions.

JONES, Committee.

Report read, and on motion of Senator Harper adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 485—An act to amend section 2 of chapter 319, Statutes of 1913, entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof.' " relating to examination fees.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 2", and insert in lieu thereof the following: "sections 2 and 5½".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, after "Sec. 2", insert the following: "Examinations as provided for in this act shall be held at least every six months, at such times and places as the board shall direct according to the rules and regulations of said board. Public notice of such examinations shall be given by publishing the same at least two weeks prior to the date of such examination in two or more papers of general circulation and one nursing journal, to be selected by the board. All of said papers and said nursing journal shall be published within the State of California. Upon filing application for examination, each applicant who is a graduate of an accredited training school for nurses in the State of California shall pay an examination fee of five dollars for certificate as registered nurse, which shall not be returned. All other applicants who shall make application for examination shall pay an examination fee of ten dollars for certificate as registered nurse, which shall in no case be returned to the applicant. No further fee shall be required for certificate.

SEC. 2. Section 5½ of said act is hereby amended to read as follows:

Sec. 5½. On or after January first of each year each registered nurse shall renew his or her certificate and pay the required renewal fee of one dollar (\$1.00). Every certificate that is not renewed will expire on the first day of March of each year and may not be renewed except upon the payment of the lapsed fee, but in no event shall such payment exceed the sum of two dollars.

Within sixty (60) days after March first of each year a list of registered nurses who have renewed their certificates for that year shall be published."

Amendment adopted.

Bill read second time, ordered to print, and referred to Committee on Public Health and Quarantine.

Senate Bill No. 336—An act to amend section 1 of chapter 763, Statutes of 1929, entitled "An act authorizing California Toll Bridge Authority and the Department of Public Works of the State of California to lay out, acquire and construct a highway crossing from the city of San Francisco across the bay of San Francisco to the county of Alameda and providing for the payment of the cost thereof," approved June 10, 1929, relating to the cost of said bridge and its adoption as a State highway.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered :

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 15 to 21, inclusive, and on page 2, strike out all of lines 1 to 8, inclusive, and insert in lieu thereof the following :

"San Francisco to the county of Alameda, under and pursuant to the provisions of the act approved June 10, 1929, chapter 763, statutes of 1929, creating the California toll bridge authority. Any city, county or city and county may, in its discretion contribute money, labor, materials, rights of way, and other appurtenances toward the construction and maintenance of said highway crossing. After said highway crossing shall be laid out, located, and construction thereof completed, the state department of public works may for purposes of maintenance only accept and adopt said highway crossing as a state highway at such time as it may deem it for the best interests of the state."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 317—An act to amend section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," relating to funds.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 3, line 26, of the printed bill, after the word "and", strike out the period, and insert in lieu thereof semicolon and the following: "*provided, however, that no error or inaccuracy in such estimate shall invalidate any bonds of the district; and provided, further, that if such estimated amount of bonds required to pay such estimated cost and interest shall exceed the total amount of bonds theretofore authorized, the board of directors may in their discretion submit to the electors of the district as provided in this act the proposition of authorizing additional bonds for the purpose aforesaid*".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 37, of the printed bill, strike out the words "a tax", and insert in lieu thereof the words "such taxes".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 38, of the printed bill, after the word "Section 14", insert "as will be."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 39, of the printed bill, strike out the words "which will accrue."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 40, of the printed bill, after the word "delay", insert the words "as such interest shall accrue;"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 337—An act making an appropriation for surveys, plans, estimates and preliminary engineering for a bridge across the bay of San Francisco.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 8 to 13, inclusive, and insert in lieu thereof the following: "of public works. The California toll bridge authority shall return this appropriation, or so much thereof as may be used, with interest thereon at the rate of four per cent per annum, to the general fund in the state treasury from the proceeds of the first sale of revenue bonds issued for the construction of said bridge under the provisions of the act approved June 10, 1929, chapter 763, statutes of 1929, creating said California toll bridge authority."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 692—An act to amend sections 2, 5, 6, and 8, chapter 795, Statutes of 1927, entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and, or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, relating to the issuing of, accounting for, compensation for issuing, duration of, and mode of applying for hunting and fishing licenses and the definition of game fishes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 23, of the printed bill, after "yellow tail," insert the following: "marlin, broad bill sword fish,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 26, of the printed bill, insert as line 26 the following: "croaker, spotfin croaker, salmon, steelhead and other trout".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 324—An act to add a new section to the Penal Code, to be numbered 6260 $\frac{1}{2}$, relating to the protection of fish.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 690—An act to repeal chapter 413, Statutes of 1915, entitled "An act to regulate the issuance and sale of licenses for resale to hunters and anglers," approved May 20, 1915, as amended.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the words "also all", and strike out lines 10 to 14, both inclusive.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, strike out all following the word "its", also lines 18 to 21, both inclusive, and insert in lieu thereof the following: "confluence with New river".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, strike out the word "first" each time it appears, and insert in lieu thereof the word "fifteenth".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 23, of the printed bill, strike out the word "November", and insert in lieu thereof the word "October".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 1, of the printed bill, strike out the words "hundred yards", and insert in lieu thereof the word "mile".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 6, of the printed bill, strike out the words "hundred yards", and insert in lieu thereof the word "mile".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 17, of the printed bill, strike out the words "hundred yards," and insert in lieu thereof the word "mile".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 18, of the printed bill, strike out the word "first" each time it appears, and insert in lieu thereof the word "fifteenth".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 18, of the printed bill, strike out the word "November", and insert in lieu thereof the word "October".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, after line 28, of the printed bill, add the following section:

"SEC. 5. The provisions hereof shall not apply to the construction, repair or maintenance of public works by the federal or state government or any political subdivision thereof."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 930—An act to add a new section to the Penal Code to be numbered section 347*b*, relating to the sale and use of fluid extract of Jamaica ginger or any preparation or compound containing triorthocresyl phosphate, and declaring the urgency thereof.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the amendment offered by Senator Evans to Senate Concurrent Resolution No. 7, heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

Senate Concurrent Resolution No. 7—Relative to establishment of a State Prison in one of the southern counties of the State of California.

AMENDMENT OFFERED BY SENATOR EVANS.

On page 1 of the printed bill, as amended in the Senate March 5, 1931, strike out lines 12 to 28, inclusive, and on page 2 of said bill, strike out lines 1 to 36, inclusive, and insert in lieu thereof the following:

"WHEREAS, A commission was constituted to relieve this condition (chapter 684 statutes of 1929), by the selection and purchase of a suitable site for a prison in southern California; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That it is the intent of this Legislature that the said commission should immediately proceed to select and purchase such prison site as directed and empowered under the provisions of chapter 684, statutes of 1929."

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Hays, and Young on the adoption of the amendment offered by Senator Evans to Senate Concurrent Resolution No. 7.

EXCUSED FROM VOTING.

Senator Sharkey asked for, and was granted unanimous consent, to be excused from voting on Senate Concurrent Resolution No. 7.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Senators Allen, Baker, Bush, Christian, Cleveland, Deuel, Duval, Evans, Hays, Inman, McKinley Rich, Riley, Slater, and Young—15.

NOES—Senators Breed, Carter, Cassidy, Ciolek, Crittenden, Fellom, Harper, Ingels, Maloney, McCormack, Mixer, Nelson, Pedrotti, Rochester, Schottky, Swing, Treacy, Tubbs, Wagdy, and Williams—20.

RECESS.

On motion of Senator Breed, at twelve o'clock and seventeen minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

On request of Senator Cassidy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Henry Lyons, district attorney, and Arthur Koletsky, county clerk of El Dorado County.

MESSAGES FROM THE ASSEMBLY—(RESUMED).

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March tenth passed Assembly Bill No. 1068—An act to amend the Political Code by adding thereto a new section, to be numbered 4310, providing a special fund for the sheriff, for the manner of making disbursements thereunder, for the use of the fund, and for the manner of accounting therefor.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1068 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 38—An act to enable municipalities to become annexed to municipal utility districts, to agree upon and give effect to terms and conditions of annexation and to transfer property to municipal utility districts in consideration of and upon annexation.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 38 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 34—An act to amend an act entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of waterworks and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said district," approved June 10, 1913, by amending section 2 of said act relative to the formation of districts organized thereunder and by amending sections 20 and 21 of said act relative to the levy and collection of taxes in such districts;

Also: Senate Bill No. 35—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 36—An act confirming, ratifying and declaring valid the formation and organization of Castro Valley County water district and also all of the acts and proceedings of said district;

Also: Senate Bill No. 37—An act to amend sections 65, 8, 9, 10, 11, 18, 20 and 23 of an act entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, also to add a new section to said act to be numbered 66, relating to the limitation of time for commencing actions to contest the validity of proceedings for the annexation of territory to municipal utility districts, also to amend section 12 of said act as amended by amending subdivision VIII thereof, relating to incurring indebtedness by such districts and providing for refunding of deposits for extensions, and to add a new section to said act to be numbered section 12a, legalizing, ratifying, confirming and declaring valid certain obligations, acts, agreements and expenditures of such districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 34, 35, 36 and 37 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 345—An act to amend section 1151 of the Political Code, relating to boards for municipal elections;

Also: Assembly Bill No. 1867—An act to amend section 5 of chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the licensing of contractors, and providing that this act shall take effect immediately;

Also: Assembly Bill No. 803—An act to amend section 4 of chapter 7, Statutes of 1919, entitled "An act authorizing the State Board of Control to purchase warrants of the Sacramento and San Joaquin Drainage District issued in payment for the expense of continuing construction of the east levee of the Sutter By-Pass; appropriating money therefor, and providing for reimbursement to the State of such appropriation," approved January 30, 1919, relating to warrants;

Also: Assembly Bill No. 970—An act to amend section 5 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violation thereof";

Also: Assembly Bill No. 900—An act to amend section 464 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosives.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 345 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 1867 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 803 read first time, and referred to Committee on Drainage, Swamp and Overflowed Lands.

Assembly Bill No. 970 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 900 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 172—An act to amend the California Irrigation District Act by adding a new section thereto to be numbered 47a, relating to partial redemption of land sold for delinquent assessment;

Also: Senate Bill No. 772—An act to amend section 21, chapter 914, Statutes of 1921, entitled "California Water Storage District Act," approved June 3, 1921, as amended, relating to the collection of unpaid assessments, the sale of property for delinquent assessments and the redemption of said property;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass, as amended.

MIXTER, Chairman.

Senate Bills Nos. 172 and 772 ordered on file for second reading.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 10, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 235—An act to amend section 626a of the Penal Code, relating to the protection of fish and game—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass, as amended.

Committee membership—15; committee vote: Ayes—13; absent—2.

YOUNG, Chairman.

Senate Bill No. 235 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 382—An act to amend section 31, of chapter 89, Statutes of 1897, the California Irrigation District Act, by amending section 31 thereof, relating to the issuance of bonds—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Senate Bill No. 382 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 773—An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts, approved June 13, 1913, as amended, by chapter 758, Statutes of 1929, by amending sections 2, 2b, 2d, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts and the election, appointment, qualifications, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; supervision of county boards of supervisors thereover, the assessment, fixing of rate and levy of taxes therefor; issuance, approval, and sale of bonds; receipt and disposition of moneys; annexation and exclusion of lands; the office of the district; the securing, use and disposition of water for irrigation purposes and the irrigation of lands therein; and obtaining, maintaining, use and construction of irrigation works—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Senate Bill No. 773 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 264—An act to add new sections to the Code of Civil Procedure to be numbered 1043 and 1044, and to amend sections 763 and 963 of said code;

Also: Senate Bill No. 597—An act to revise and consolidate the law relating to guardianship, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law herein revised and consolidated and herein specified; and to establish a division of the Probate Code;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 264 and 597 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code;

Also: Senate Bill No. 209—An act to amend sections 204, 204a, 204b, and 204d of the Code of Civil Procedure, relating to the selecting of jurors; and to repeal section 204e of the Code of Civil Procedure, relating to the secretary of judges as jury commissioner;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

Senate Bill's Nos. 18 and 209 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 568—An act to amend section 539 of the Civil Code, relating to the recovery of damages for the breaking or injuring of subaqueous telegraph, telephone and electric power cables or gas pipe lines—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 568 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 561—An act to amend sections 224, 224m and 226 of the Civil Code, relating to adoption;

Also: Senate Bill No. 560—An act to amend section 15 of "The Juvenile Court Law," relating to persons free from parental control;

Also: Senate Bill No. 567—An act to amend section 538 of the Civil Code, relating to malicious injury to telegraph, telephone, electric power and gas property;

Also: Senate Bill No. 302—An act to add a new section to the Penal Code to be numbered 496c, relating to the theft of the contents of any private and unpublished paper, book or record containing information relating to the title to real property;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass, as amended.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 561, 560, 567 and 302 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 890—An act to amend section 626m of the Penal Code, relating to hunting and fishing at night—and reports that the same has been correctly re-engrossed.

INGELS, Vice Chairman.

ON REAPPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 169—An act to amend section 78 of the Political Code, relating

to Senatorial and Assembly districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—15; committee vote: Ayes—14; absent—1.

McKINLEY, Chairman.

Senate Bill No. 169 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the following named Senators for the amounts set opposite each of their names and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law:

Senators	County	Mileage	Total at five cents per mile
Clock, Ralph H.	Los Angeles	938	\$46 90
Treacy, Timothy E.	San Francisco	180	9 00
			INGELS, Chairman. MALONEY. WILLIAMS.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Ingels, Jones, Maloney, McKinley, Moran, Pedrotti, Rochester, Slater, Treacy, Tubbs, and Wagy—24.

NOES—None.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 501—An act to amend section 204 of the Code of Civil Procedure, relating to jury lists.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 501 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Fellom, Hays, Ingels, Jones, Maloney, McKinley, Moran, Rochester, Slater, Swing, Treacy, Tubbs, and Wagy—23

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 890—An act to amend section 626m of the Penal Code, relating to hunting and fishing at night.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 890 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Duval, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Rochester, Slater, Swing, Treacy, Tubbs, and Wagy—22.

NOES—Senator Moran—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDERS.

Senator Breed moved that Senate Bills Nos. 675 and 676 be made special orders for Monday, March 16, 1931, at eleven o'clock and thirty minutes a.m.

Motion carried.

Senate Bill No. 533—An act to amend section 2 of an act entitled "An act remising, releasing and quitclaiming to the Regents of the University of California the properties in the county of Los Angeles which were heretofore transferred to and vested in said Regents of the University of California by an act entitled 'An act repealing sections 1, 2 and 3 of an act entitled 'An act to establish a branch State Normal School,' approved March 14, 1881, abolishing the branch of the State Normal School at Los Angeles, transferring its properties to the Regents of the University of California, providing for the establishment of a branch of the University of California at Los Angeles, continuing regular normal school training courses and providing an appropriation for the support and maintenance thereof", approved May 23, 1919, and all other properties, real, personal, and mixed, connected therewith or appurtenant thereto, and authorizing said Regents of the University of California to hold, sell, lease or otherwise deal with the same and to dispose of proceeds realized from said holding, selling, leasing, or otherwise dealing with the same, and repealing all acts or parts of acts in conflict with this act," approved April 12, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 533 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Moran, Rich, Slater, Treacy, Tubbs, and Wagy—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 131—An act to amend section 651*d* of the Civil Code, relating to the conferring of academic or professional degrees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 131 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Moran, Pedrotti, Schottky, Slater, Treacy, Tubbs, and Wagy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 706—An act authorizing the establishment, maintenance and operation of memorial districts for the acquisition of sites for, and the acquisition, construction, operation, maintenance, and management of, halls, buildings and meeting places for veterans and organizations of veterans; and authorizing the leasing, conveying, or making

available, of public lands in certain instances to memorial districts for such purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 706 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Duval, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Moran, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, and Waggy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 25—An act to amend section 2 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended, relating to official bonds of deputies, clerks and subordinate officers in county offices and institutions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 25 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Moran, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, and Waggy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 45—An act to amend sections 2, 3, 4 and 6, and to add a new section to be numbered section 2½, of chapter 210, Statutes of 1901, entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to residence of indigent persons, the bringing of indigents into the State, and the reimbursement of counties for aid advanced indigents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 45 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Moran, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, and Waggy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 848—An act to amend sections 6.61, 6.260, 6.440, 6.441, 6.452, 6.732 and 6.751 of the School Code; to add thereto new sections to

be numbered 6.101, 6.204, 6.470-1, 6.470-2 and 6.733; to add a new article to chapter II of part I of division VI thereof, to be known as article VIa, embracing section 6.90a; a new article of chapter IV of part I of division VI thereof, to be known as article IIIa, embracing sections 6.190a to 6.194a, both inclusive; to repeal article I, embracing sections 6.370 to 6.376, both inclusive, article III, embracing sections 6.390 to 6.393, both inclusive, article IV, embracing sections 6.400 to 6.408, both inclusive, article V, embracing sections 6.420 to 6.429, both inclusive; all of chapter V of part II of division VI thereof; to add to chapter V of part II of division VI thereof, a new article to be known as article I, to embrace sections 6.370 to 6.375, both inclusive; a new article, to be known as article III, to embrace sections 6.390 to 6.391, both inclusive; a new article, to be known as article IV, embracing sections 6.400 to 6.409, both inclusive; a new article, to be known as article V, to embrace sections 6.420 to 6.424, both inclusive; to repeal section 6.62 thereof, and to repeal all of those acts and parts of acts in this act enumerated and described, all relating to the environment and equipment of the public school system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 848 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 849—An act to amend sections 5.401, 5.460, 5.461, 5.802, 5.810 and 5.1071 of the School Code; to repeal chapter VI, embracing sections 5.630 to 5.634, both inclusive, of part III of division V thereof; to add a new chapter to part III of division V thereof to be known as chapter VI, embracing sections 5.630 to 5.634, both inclusive; to add thereto new sections to be numbered 5.112, 5.383, 5.532, 5.804, 5.815; to add thereto a new part to be known as part V of division V thereof, embracing sections 5.1100 to 5.1138, both inclusive; to repeal section 5.814, and to repeal those acts in this act enumerated and described, all relating to the teaching and supervisory force of the public school system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 849 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, Treacy, Tubbs and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 850—An act to amend sections 4.52, 4.380, 4.381, 4.382, 4.452, 4.490, 4.630, 4.774 of the School Code; to add thereto new

sections to be numbered 4.281, 4.383, 4.384, 4.469, 4.491, 4.492, 4.762-1 and 4.778-1; to add a new article to chapter I of part III of division IV thereof, to be known as article 1a and to embrace sections 4.280a to 4.284a, both inclusive, and to repeal those acts in this act enumerated and described, all relating to the financial support of the public school system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 850 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Harper, Hays, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, and Waggy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 852—An act to amend sections 2.310, 2.500, 2.600, 2.670 to 2.674, inclusive, 2.690, 2.691, 2.750, 2.830, 2.877, 2.913, 2.1021, 2.1058, 2.1061, 2.1130, 2.1131, 2.1391, 2.1435, 2.1440 to 2.1443, inclusive, 2.1463, 2.1466 and 2.1468 of the School Code; to add thereto new sections to be numbered 2.21, 2.1095, 2.1111, 2.1321, 2.1399 to 2.1401, inclusive, 2.1444 to 2.1446, inclusive, and 2.1469; to add a new article to chapter VI of part I of division II thereof to be numbered article VIIIa, embracing sections 2.440a to 2.454a, inclusive; to add a new article to chapter XI of part I of division II thereof, to be numbered article VIa embracing sections 2.730a to 2.738a, inclusive; to add a new article to chapter I of part V of division II thereof to be numbered article V embracing section 2.1520; to repeal sections 2.1392 to 2.1398, inclusive, and sections 2.1132 and 2.1133 thereof, and to repeal those acts in this act enumerated and described, all relating to the administrative organization of the public school system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 852 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 847—An act to repeal chapter II, embracing sections 4.760 to 4.864, both inclusive, of part IV of division IV of the School Code and to add thereto a new chapter to be known as chapter II, embracing sections 4.760 to 4.833, both inclusive, relating to the apportionment of State and county elementary school funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 847 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 569—An act to amend section 172*b* and 172*d* of the Civil Code, relating to the sale, mortgage, or lease of community real property by the husband or wife of an insane or incompetent person.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 569 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 571—An act to amend sections 1269*a* and 1269*c* of the Civil Code, relating to the sale or mortgage of a homestead by the husband or wife of an insane or incompetent person.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 571 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 690—An act to amend sections 2934 and 2935 of the Civil Code, relating to the recording of assignments of mortgages, deeds of trust and of subordination agreements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 690 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1357—An act to amend section 675 of the Code of Civil Procedure, relating to satisfaction of judgments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1357 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 166—An act to amend sections 3197 and 3198 of the Political Code, relating to trade-marks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 166 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

NOTICE OF MOTION TO RECONSIDER.

Senator Inman gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 166 was passed.

Assembly Bill No. 311—An act to add a new section to part II, title Xa, chapter 2 of the Code of Civil Procedure, to be known as section 831j, relating to the force and effect of proceedings and judgments of municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 311 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 407—An act to add a new section, to be numbered section 693, to the Political Code, relating to the preparation and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, and to repeal "An act relating to the advertising and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the State Board of Control and vesting

in the State Board of Control the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore given to any State officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," approved December 18, 1911.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 407 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams. 33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 389—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 389 read first time, and referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 906—An act to amend section 2.464 of the School Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 906 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—37.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 450—An act to add four new sections to the California School Code, to be numbered 6.12, 6.13, 6.14, and 6.15, relating to the maintenance and repair of school property by the county superintendent of schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 450 passed by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran,

Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—28.

NOES—Senators Allen, Bush, Christian, and Cleveland—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senators Nelson, McKinley, Breed, Jones and Deuel: Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose.

Referred to Committee on Federal Relations.

By Senators Nelson, Jones, McKinley and Deuel: Senate Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment of the constitution of said State by amending section 15 of article XIII thereof, relating to revenue and taxation.

Referred to Committee on Constitutional Amendments.

By Senator Harper: Senate Concurrent Resolution No. 23—Relative to requesting the Division of Motor Vehicles to use the full word "California" on all number plates.

Referred to Committee on Motor Vehicles.

ADJOURNMENT.

At three o'clock and fifty minutes p.m., on motion of Senator Breed the President declared the Senate adjourned until eleven o'clock a.m. Friday, March 13, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, March 13, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 12, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator McKinley was, on motion of Senator Edwards, granted leave of absence for this day.

Senators Young and Duval were, on motion of Senator Mixter, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Moran, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. W. Ackerman, G. L. Childs and C. Lunning.

On request of Senator Clock, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Friend W. Richardson, former Governor of the State of California.

On request of Senator Allen, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. C. J. Lutheld, superior judge of Siskiyou County.

MESSAGE FROM THE GOVERNOR.

The following communication from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, March 6, 1931.

Members of the California State Senate.

State Capitol, Sacramento, California.

GENTLEMEN: I have the honor to transmit herewith a copy of a concurrent resolution of the Senate and the House of Representatives of the United States, passed February 7, 1931, tendering the thanks of Congress to the State of California for the contribution of the statues of Junipero Serra and Thomas Starr King, illustrious pioneer patriots, whose statues were recently placed in the Statuary Hall.

"Seventy-first Congress of the United States of America: at the Third Session. Begun and held at the City of Washington on Monday, the 1st day of December, 1930.

CONCURRENT RESOLUTION.

Resolved by the Senate (the House of Representatives concurring). That the statues of Junipero Serra and Thomas Starr King, presented by the State of California, to be placed in Statuary Hall, are accepted in the name of the United States, and that the thanks of Congress be tendered said State for the contribution of the statues of these eminent men, illustrious for their distinguished services as pioneer patriots of said State.

Resolved, further, That a copy of these resolutions, suitably engrossed and duly authenticated be transmitted to the Governor of California.

Attest: (Signed)

EDWIN P. THAYER,
Secretary of the Senate.

Attest: (Signed)

WM. TYLER PAGE,
Clerk of the House of Representatives."

With my compliments and warmest regards,

Very sincerely yours,

JAMES ROLPH, JR., Governor.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 196—An act to add new sections numbered 5b and 5c to, and to amend section 10 of, the Narcotic Rehabilitation Act, relating to commitment, transfer, discharge or return of patients to or from the State Narcotic Hospital;

Also: Senate Bill No. 324—An act to add a new section to the Penal Code, to be numbered 6260½, relating to the protection of fish;

Also: Senate Bill No. 354—An act to amend section 2640 of the Political Code, relating to opening and improving roads;

Also: Senate Bill No. 690—An act to repeal chapter 413, Statutes of 1915, entitled "An act to regulate the issuance and sale of licenses for resale to hunters and anglers," as amended;

Also: Senate Bill No. 930—An act to add a new section to the Penal Code to be numbered section 347b, relating to the sale and use of fluid extract of jamaica ginger or any preparation or compound containing triorthocresyl phosphate, and declaring the urgency thereof;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment, and Printing has examined Senate Joint Resolution No. 3—Relative to hours of employment of persons on interstate carriers;

Also: Senate Joint Resolution No. 4—Relative to the Interstate Commerce Commission urging upon the railroad companies the necessity of through passenger car service between the Atlantic and Pacific coasts;

Also: Senate Joint Resolution No. 12—Relative to memorializing Congress to make an emergency appropriation as a loan to the Federal Reclamation Fund;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 12, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 15—A resolution proposing to the people of the State of California a limitation of taxes on real estate by amending sections 1 and 14 of article XIII of the constitution of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—8; absent—1.

ALLEN, Chairman.

Senate Constitutional Amendment No. 15 ordered on second reading file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 701—An act to amend sections 2 to 29, inclusive, of, and to add sections 5, 7a, 8, 9, 13, 19, and 20 to chapter 532, Statutes 1917, as amended, entitled "An act for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a Corporation Department and the office of Commissioner of Corporations"—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

SECOND READING OF SENATE BILL NUMBER SEVEN HUNDRED ONE.

Senate Bill No. 701—An act to amend sections 2 to 29, inclusive, of, and to add sections 5, 7a, 8, 9, 13, 19, and 20 to chapter 532, Statutes 1917, as amended entitled "An act for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a corporation department and the office of Commissioner of Corporations."

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the title of the printed bill, as amended in the Senate, March 5, 1931, strike out all of lines 1 to 10 thereof, and insert in lieu thereof the following:

"An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and to repeal sections 20a and 24a of and to add sections 30, 31, 32, 33, 34, 35, 36, 37, 38 and 39 to an act entitled 'An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a corporation department and the office of commissioner of corporations,' approved May 18, 1917, as amended, relating to the division of corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended in Senate, March 5, 1931, strike out all of lines 1 to 18 thereof, also strike out all of pages 2 to 23, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 2 of the act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a corporation department and the office of commissioner of corporations," approved May 18, 1917, as amended, is hereby amended to read as follows:

SEC. 2. (a) Words used in this act in the present tense include the future as well as the present; words used in the masculine gender include the feminine and neuter; and the neuter, the masculine and feminine; the singular number includes the plural, and the plural the singular; "writing" includes "printing" and "typewriting"; "oath" includes "affirmation"; the word "county" includes "city and county"; and "territory" includes "district." When used in this act, the following terms shall, unless the context otherwise indicates, have the following respective meanings:

1. The word "division" means the "division of corporations" created by this act.
2. The word "commissioner" means the "commissioner of corporations."
3. The word "company" includes all domestic and foreign private corporations, associations, syndicates, joint stock companies, and partnerships of every kind, trustees as hereinafter defined, and also individuals as hereinafter defined.
4. The word "trusts" includes all voluntary trusts, as the same are defined in the Civil Code, expressly created by or declared in an instrument in writing the purpose of which is to carry on any business or to secure the payment or repayment of money, but shall not be deemed to include a trust created or declared under or by virtue of a will or a judicial writ, order, decree, or judgment.
5. The word "trustee" includes only persons or companies executing trusts as hereinbefore defined.
6. The word "individual" in so far as it is included in the definition of a "company," includes only persons selling, offering for sale, negotiating for the sale of or taking subscriptions for any security of their own issue.
7. The word "security" shall include any stock, bond, debenture, evidence of indebtedness, certificate of interest or participation, certificate of interest in a profit-sharing agreement, certificate of interest in an oil, gas or mining title or lease, collateral trust certificate, preorganization certificate, preorganization subscription, any transferable share, investment contract, or beneficial interest in title to property, profits or earnings or any other instrument commonly known as a security.
8. "Sale" or "sell" shall include every disposition, or attempt to dispose, of a security or interest in a security for value. Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing, shall be conclusively presumed to constitute a part of the subject of such purchase and to have been sold for value. "Sale" or "sell" shall also include a contract of sale, an exchange, an attempt to sell, an option of sale, a solicitation of a sale, subscription or an offer to sell, directly or by an agent, or a circular letter, advertisement or otherwise; provided, that a privilege pertaining to a security giving the holder the privilege to convert such security into another security of the same company shall not be deemed a sale of such other security within the meaning of this definition; and provided further, that the issue or transfer of a right pertaining to a security and entitling the holder of such right to subscribe to another security of the same company shall not be deemed a sale of such security within the meaning of this definition; but the sale of such other security upon the exercise of such right shall be subject to the provisions of this act.
9. The word "agent" means and includes every person or company employed or appointed by a company or broker or any other person who shall, within this state,

either as an employee or otherwise, for a compensation, sell, offer for sale, negotiate for the sale of or take subscriptions for any security.

10. The word "broker" includes every person or company, other than an agent, who shall, in this state, engage either wholly or in part in the business of selling, offering for sale, negotiating for the sale of, or otherwise dealing in any security issued by others, or of underwriting any issue of such securities, or of purchasing such securities with the purpose of reselling them, or of offering them for sale to the public.

11. The word "mortgage" shall be deemed to include a deed of trust to secure a debt, and the word "mortgagee" shall be deemed to include a trustee and/or beneficiary under a deed of trust.

12. The words "investment counsel" as used in this act shall include every person or company other than a broker, who in this state, for compensation, engages in the business of advising others either directly or through publications or writings as to the value of securities or as to the advisability of investing in or purchasing of securities, and every person other than a broker or certified public accountant who issues or promulgates analyses or issues reports concerning securities.

(b) Except as hereinafter otherwise expressly provided, the provisions of this act shall not apply to any of the following classes of securities:

1. Any security issued or guaranteed by the United States of America, or any territory or insular possession thereof, or by the District of Columbia, or by any state, territory, county or municipality or taxing district therein.

2. Any security issued or guaranteed by any foreign government with which the United States of America is at the time of the sale or resale or offer of sale thereof maintaining diplomatic relations, or by any state, province, or political subdivision thereof having the power of taxation or assessment, which security is recognized at the time it is offered or resold in this state as a valid obligation by such foreign government or by such state, province or political subdivision thereof issuing the same.

3. Any security issued by and representing an interest in or a direct obligation of a national bank, or issued by any federal land bank or joint land bank, or a national farm loan association, under the provisions of the federal farm loan act of July 17, 1916, or any amendment thereof or thereto, or by any company created and acting as an instrumentality of the government of the United States of America pursuant to authority granted by the congress of the United States of America, or by any company organized and existing under and by virtue of any act of congress.

4. Any security issued by and representing an interest in or a direct obligation of a state bank, trust company or savings institution incorporated under the laws of this state.

5. Any security the issuance of which has been authorized by the railroad commission of this state or by the interstate commerce commission.

6. Any security issued by a company organized for the purpose of conducting a building and loan association within this state subject to the supervision of the building and loan commissioner.

7. Any security issued by a company organized for the purpose of transacting an insurance business within this state subject to the jurisdiction of the insurance commissioner.

8. Any security (except notes, bonds, debentures, or other evidences of indebtedness) issued by a company organized under the laws of this state exclusively for educational, benevolent, fraternal, charitable or reformatory purposes and not for pecuniary profit and no part of the earnings of which inures to the benefit of any private stockholder or individual.

9. Any security which has been certified as a legal investment for savings banks and trust companies under the laws of this state.

10. Bills of exchange, trade acceptances, promissory notes and other commercial paper issued, given or acquired in a bona fide way in the ordinary course of legitimate business, trade or commerce.

11. Promissory notes, whether secured or unsecured, where the notes are not offered to the public, or are not sold to an underwriter for the purpose of resale.

(c) Except as hereinafter expressly provided, the provisions of this act shall not apply to the sale of any security in any of the following transactions:

1. At any judicial, executor's, administrator's or guardian's sale, or at any sale by a receiver or trustee in insolvency or bankruptcy.

2. By or for the account of a pledgee or mortgagee selling or offering for sale or delivery in the ordinary course of business, to liquidate a bona fide debt, a security pledged in good faith as security for such debt.

3. The sale of securities when made by or on behalf of a vendor not the issuer or underwriter thereof who, being a bona fide owner of such securities, disposes of his own property for his own account, and such sale is not made, directly or indirectly, for the benefit of the issuer or an underwriter of such security, or for the direct or indirect promotion of any scheme or enterprise with the intent of violating or evading any provision of this act.

SEC. 2. Section 3 of said act is hereby amended to read as follows:

Sec. 3. No company shall sell any security, except upon a sale for a delinquent assessment against such security made in accordance with the laws of this state,

or offer for sale, negotiate for the sale of, or take subscriptions for any security of its own issue until it shall have first applied for and secured from the commissioner a permit authorizing it so to do. Such application shall be in writing, shall be verified as provided in the Code of Civil Procedure for the verification of pleadings, and shall be filed in the office of the commissioner. In such application the applicant shall set forth the following:

- (a) The names, residences, and post-office addresses of its officers.
- (b) The location of its principal office.
- (c) An itemized account of its financial condition, the amount and character of its assets and liabilities.
- (d) A detailed statement of the plan upon which it proposes to transact business.
- (e) A copy of any security it proposes to issue.
- (f) A copy of any contract it proposes to make concerning such security.
- (g) A copy of any prospectus or advertisement or other description of such security prepared by or for it for distribution or publication.
- (h) A copy of its articles of incorporation or partnership or association, as the case may be, and of any amendments thereto, and all other papers pertaining to its organization.
- (i) The date upon which it proposes to commence to sell its securities.
- (j) The number, kind and amount of securities it proposes to sell
- (k) The par or face value, if any, and the price at which it proposes to sell its securities.
- (l) The commission or compensation to be paid for the sale of its securities.
- (m) If a trustee, a copy of all instruments by which the trust is created and in which it is accepted, acknowledged or declared.
- (n) If a corporation, a copy of all minutes of any proceeding of its directors, stockholders or members relating to or affecting the issue of said security.
- (o) If a corporation, a copy of its by-laws and of any amendments thereto.
- (p) If a corporation or association organized under the laws of any other state, territory or government, a certificate executed by the proper officer of said state, territory, or government more than thirty days before the filing of such application, showing that it is authorized to transact business in said state, territory or government, and also in such form as the commissioner may prescribe, its written instrument irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it may be served with the same effect as if such corporation or association were organized or created under the laws of this state and had been lawfully served with process therein.

(q) Such additional information concerning the company, its condition and affairs, as the commissioner may require.

SEC. 3. Section 4 of said act is hereby amended to read as follows:

Sec. 4. Upon the filing of such application, it shall be the duty of the commissioner to examine it and the other papers and documents filed therewith, and he may, if he deems it advisable, make or have made a detailed examination, audit, and investigation of the applicant and its affairs. If he finds that the proposed plan of business of the applicant is not unfair, unjust, or inequitable, that it intends to fairly and honestly transact its business, and that the securities that it proposes to issue and the methods to be used by it in issuing or disposing of them are not such as, in his opinion, will work a fraud upon the purchaser thereof, the commissioner shall issue to the applicant a permit authorizing it to issue and dispose of securities, as therein provided, in this state, in such amounts and for such considerations and upon such terms and conditions as the commissioner may in said permit provide. Otherwise, he shall deny the application and refuse such permit and notify the applicant in writing of his decision. Every permit shall recite in bold type that the issuance thereof is permissive only and does not constitute a recommendation or endorsement of the securities permitted to be issued. The commissioner may impose conditions requiring the deposit in escrow of securities, the impoundment of the proceeds from the sale thereof, limiting the expense in connection with the sale thereof and such other conditions as he may deem reasonable and necessary or advisable to insure the disposition of the proceeds of such securities in the manner and for the purposes provided in such permit. He may, from time to time, amend, alter or revoke any permit issued by him, or temporarily suspend the rights of the applicant under such permit.

SEC. 4. Section 5 of said act is hereby amended to read as follows:

Sec. 5. The commissioner, whenever in his opinion the further sale of any securities by any company would be unfair, unjust or inequitable to the purchasers thereof, may order such company to desist and to refrain from the further sale of its securities.

He shall have the power to establish such rules and regulations as may be reasonable or necessary to carry out the purposes and provisions of this act.

SEC. 5. Section 6 of said act is hereby amended to read as follows:

Sec. 6. No person or company shall act as an agent or broker until such person or company shall have first applied for and secured from the commissioner a certificate, then in effect, authorizing such person or company so to do. Every such

certificate shall expire on the thirty-first day of December next after its issuance, unless sooner suspended or revoked. To secure such certificate, the applicant shall make and file in the office of the commissioner an application therefor in writing, verified by or in behalf of the applicant. In such application, the applicant shall set forth, in addition to such other information as may be required by the commissioner:

1. The name and address of the applicant, and if it be a corporation, association, or joint stock company, the name and address of each of its managing officers and agents, and, if it be a partnership, the name and address of each of the partners;
2. A succinct statement of facts showing that the applicant, and its managing officers and agents, if it be a corporation, or members, if it be a partnership, have a good business reputation;
3. If the applicant is a broker, the general plan and character of the business of the applicant.

At the time of filing an application for a broker's certificate, the applicant shall file with the commissioner of corporations a good and sufficient bond for five thousand dollars, payable to the people of the State of California, for the use and benefit of any interested person, executed by said applicant and by sufficient surety or sureties, and to be approved by the commissioner of corporations. Said bond shall be conditioned upon the strict compliance with the provisions of this act, the faithful performance of all the terms and conditions of any installment purchase contracts involving the sale of a security, the honest and faithful application of all funds received and the faithful and honest performance of all obligations and undertakings in the purchase or sale of securities, by said broker, his agents and employees. Said bond shall be further conditioned upon the payment of all damages suffered by any person damaged or defrauded by reason of the violation of any of the provisions of this act, or by reason of any fraud connected with or growing out of any transaction contemplated by the provisions of this act. Any person who sustains an injury covered by such bond, may in addition to any other remedy that he may have, bring an action in his own name upon said bond for the recovery of any damages sustained by him. Upon such action being commenced the commissioner of corporations may in his discretion, require the filing of a new bond, and immediately upon the recovery in any action on such bond, such broker shall file a new bond, and upon failure to file the same within ten days in either case, such failure shall constitute sufficient grounds for the suspension or revocation of such broker's certificate.

For filing such application, the applicant shall pay a fee as hereinafter provided. If the applicant is a corporation or association organized under the laws of any other state, territory, or government, it shall file with its application a copy of its articles of incorporation or association, together with a certificate executed by the proper officer of such state, territory, or government not more than thirty days before the filing of such application, showing that such applicant is authorized to transact business in such state, territory, or government, and also in such form as the commissioner may prescribe, its written instrument, irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it, arising out of or founded upon the fraud of such applicant in the sale of securities within this state, or in any action upon any bond provided by this section, may be served, with the same effect as if said corporation or association were organized or created under the laws of this state and had been lawfully served with process therein.

SEC. 6. Section 7 of said act is hereby amended to read as follows:

Sec. 7. The commissioner shall examine such application, and shall make such further investigation of the applicant and its affairs as he shall deem advisable. If, from such examination, the commissioner shall be satisfied:

(a) That the applicant and its officers or members, if any, are of good business reputation;

(b) That the applicant has sufficient financial responsibility to carry out the obligations incident to its operations as such broker or agent;

(c) That the sale of the securities proposed to be sold by it would not be unfair, unjust or inequitable to the purchasers thereof;

(d) That neither it nor its officers or members have violated any of the provisions of this act or of chapter 226 of the Statutes of 1923; and

(e) That neither it nor its officers or members have engaged or are about to engage in any fraudulent transaction, he shall issue such certificate. Otherwise, he shall refuse the same and deny the application and notify the applicant of his decision; *provided, however*, that if the only ground for such denial falls under subdivision (d) or (e) of this section the commissioner may, in his discretion, waive such ground for denial and issue a certificate to the applicant if satisfied that in the particular case such subdivisions would be inapplicable or purely technical, and that the absence of these requirements would in no way interfere with the proper performance by the applicant of his duties as a broker. The commissioner may at any time temporarily suspend any broker's or agent's license issued by him if he has reason to suspect the existence of any of the grounds, hereinabove enumerated, for the denial of an application for a broker's or agent's license. If, at the expiration of sixty days from the date of such suspension, the license so sus-

pending has not expired or has not been revoked, as hereinafter provided, it shall be deemed reinstated. The commissioner must revoke any broker's or agent's certificate, if, after hearing upon notice, he shall find the existence of any of the grounds, hereinabove enumerated, for the denial of an application for a broker's or agent's license; *provided, however*, that such revocation shall be discretionary with the commissioner if the only ground for such revocation falls under subdivision (d) or (e) of this section and he is satisfied that in the particular case such subdivisions would be inapplicable or purely technical, and that the absence of these requirements would in no way interfere with the proper performance by the applicant of his duties as a broker.

SEC. 7. Section 8 of said act is hereby amended to read as follows:

Sec. 8. Every installment purchase contract involving the sale of a security proposed to be used by any broker shall first be submitted to and approved by the commissioner, and shall contain clauses specifying:

(a) The time within which the purchase of such security is to be made by such broker.

(b) The place of deposit of such security.

(c) The time within which delivery of such security shall be made, after such deposit.

(d) The conditions under which calls for additional margin may be made.

(e) Any other provision which the commissioner may deem necessary for the protection of the parties to the purchase of such security.

SEC. 8. Section 9 of said act is hereby amended to read as follows:

Sec. 9. No person or company, other than a broker, shall act as an investment counsel until such person or company shall have first applied for and secured from the commissioner a certificate then in effect authorizing such person or company so to do. Every such certificate shall expire on the thirty-first day of December next after its issuance unless sooner suspended or revoked.

To secure such certificate, the applicant shall make and file in the office of the commissioner an application therefor in writing, verified by or in behalf of the applicant. In such application, the applicant shall set forth, in addition to such other information as may be required by the commissioner,

(a) The name, residence and post-office address of the applicant;

(b) If a corporation, association, joint stock company, or partnership, the name, residence and post-office address of each of its managing officers, agents or partners, as the case may be;

(c) A succinct statement of facts showing that the applicant and each of its managing officers and agents or partners, as the case may be, is of good business repute and the experience and education which would qualify him to act as investment counsel; and

(d) The general plan, character and method in which applicant proposes to conduct its business.

If the applicant is a corporation or an association organized under the laws of any other state, territory or government, it shall file with its application a copy of its articles of incorporation or association, together with a certificate executed by the proper officer of such state, territory or government, not more than thirty days before the filing of such application, showing that such applicant is authorized to transact business in said state, territory or government, and also in such form as the commissioner may prescribe its written instrument irrevocably appointing the commissioner and his successor in office its true and lawful attorney upon whom all process in any action or proceeding against it, arising out of or founded upon the fraud of such applicant in the conduct of its business as investment counsel, may be served with the same effect as if said corporation or association were organized or created under the laws of this state and had been lawfully served with process therein.

The commissioner shall examine such application for an investment counsel's certificate and shall make such further investigation of the applicant and its affairs as he shall deem advisable. If from such examination the commissioner shall be satisfied:

(a) That the applicant and its officers, directors and members, if any, are of good business repute and in the opinion of the commissioner qualified by experience and education to conduct an investment counsel business;

(b) That neither the applicant nor its officers, directors or members, if any, have violated any of the provisions of this act or of chapter 226 of the Statutes of 1923; and

(c) That neither the applicant nor its officers, directors or members, if any, have engaged or are about to engage in any fraudulent transaction, he shall issue such certificate. Otherwise, he shall deny the application and notify the applicant of his decision; *provided, however*, that if the only ground for such denial falls under subdivision (b) or (c) of this section, the commissioner may, in his discretion, waive such ground for denial and issue a certificate to the applicant if satisfied that in the particular case such subdivisions would be inapplicable or purely technical, and that the absence of these requirements would in no way interfere with the proper performance by the applicant of his duties as an investment counsel.

The commissioner may at any time temporarily suspend any investment counsel's certificate issued by him if he has reason to suspect the existence of any of the grounds, hereinabove enumerated, for the denial of an application for an investment

counsel's certificate. If, at the expiration of sixty days from the date of such suspension, the certificate so suspended has not expired or has not been revoked, as hereinafter provided, it shall be deemed reinstated. The commissioner must revoke any investment counsel's certificate, if, after hearing upon notice, he shall find the existence of any of the grounds, hereinabove enumerated, for the denial of an application for an investment counsel's certificate; *provided, however*, that such revocation shall be discretionary with the commissioner if the only ground for such revocation falls under subdivision (b) or (c) of this section and he is satisfied that in the particular case such subdivisions would be inapplicable or purely technical, and that the absence of these requirements would in no way interfere with the proper performance by the applicant of his duties as an investment counsel.

SEC. 9. Section 10 of said act is hereby amended to read as follows:

SEC. 10. Any company which holds a permit from the commissioner authorizing the payment of a commission upon the sale of its securities, and which proposes to sell such securities through agents licensed under such permit, shall first file with the commissioner of corporations a good and sufficient bond for one thousand dollars, payable to the people of the State of California for the use and benefit of any interested person, executed by said applicant and by sufficient surety or sureties, and to be approved by the commissioner of corporations. Said bond shall be conditioned upon the strict compliance with the provisions of this act and of said permit, and the faithful and honest performance of all obligations and undertakings in the sale of said securities by said company, its agents and employees. Said bond shall be further conditioned upon the payment of all damages suffered by any person damaged or defrauded by reason of the violation of any of the provisions of this act or by reason of any fraud connected with or growing out of the sale of any such securities. Any person who sustains an injury covered by such bond, may, in addition to any other remedy that he may have, bring an action in his own name upon said bond for the recovery of any damages sustained by him. Upon such action being commenced the commissioner of corporations may, in his discretion, require the filing of a new bond, and immediately upon the recovery in any action on such bond, such company shall file a new bond, and upon failure to file the same within ten days in either case such failure shall constitute sufficient grounds for the suspension or revocation of such company's permit or permits.

SEC. 10. Section 11 of said act is hereby amended to read as follows:

SEC. 11. No person, partnership, association or corporation, shall issue, circulate, or publish any advertisement, pamphlet, prospectus, or circular, either written or printed or oral, by mail, telegraph, radio or otherwise, concerning any security offered, issued or sold by any company, that such person, partnership, association, or corporation desires or proposes to sell, until the company proposing to issue such security shall have first secured from the commissioner a permit authorizing it to issue or sell such security; nor shall any company, broker, or agent, or any other person, issue, circulate, or publish any advertisement, pamphlet, prospectus, or circular concerning any security sold or offered for sale by it, unless the name of the company together with the name of the president, a vice president or secretary of such company, or the broker, agent, or person issuing, circulating, or publishing the same shall be subscribed thereto, and a true copy thereof shall have been first filed in the office of the commissioner at least one day prior thereto; *provided, however*, that the filing of a copy of such advertisement, pamphlet, prospectus or circular, as herein provided, shall not be required in any case in which the commissioner shall have authorized or consented to the issuance, circulation or publication thereof; nor shall any company, broker or agent, or any other person, issue, circulate, or publish any such advertisement, pamphlet, prospectus, or circular after notice in writing given to it by the commissioner that, in his opinion, the same contains any statement that is false or misleading or otherwise likely to deceive a reader thereof.

SEC. 11. Section 12 of said act is hereby amended to read as follows:

SEC. 12. Every company authorized by the commissioner to sell securities shall at all times keep and maintain a complete set of books, records and accounts, and shall thereafter, at such times as it may be required by the commissioner, make and file in the office of the commissioner a report, setting forth, in such form as the commissioner may prescribe, the securities sold by it under the authority of any permit issued by him, the proceeds derived therefrom, the disposition of such proceeds, and such other information concerning its property, officers, or affairs, relating to or affecting the value of such securities, as the commissioner may require.

SEC. 12. Section 13 of said act is hereby amended to read as follows:

SEC. 13. Every broker shall, at such times as it may be required by the commissioner, make and file in the office of the commissioner a true and correct statement in such form and containing such data as the commissioner may require of the business of such broker.

SEC. 13. Section 14 of said act is hereby amended to read as follows:

SEC. 14. No broker shall sell or offer for sale any security as a part of or connected with its brokerage business after notice in writing given to it by the commissioner that in his opinion the sale thereof or the manner or method of sale thereof would be or is unfair, unjust or inequitable to the purchaser thereof, unless the commissioner shall subsequently in writing withdraw such objection to the sale thereof.

SEC. 14. Section 15 of said act is hereby amended to read as follows:

Sec. 15. All papers, documents, reports, and other instruments in writing filed with the commissioner under this act shall be open to public inspection; *provided*, that if, in his judgment, the public welfare or the welfare of any company, broker, or agent demands that any portion of such information be not made public, he may, in his discretion, withhold such information from public inspection for such time as in his judgment is necessary. The commissioner may at any time give, issue, or make public any information concerning any company or any contracts, stocks, bonds, or other securities sold or offered for sale within this state, if in his judgment the giving, issuing, or publishing of the same will be of public interest or advantage or will tend to prevent the fraudulent sale of such securities.

SEC. 15. Section 16 of said act is hereby amended to read as follows:

Sec. 16. Every order, decision, permit or other official act of the commissioner shall be subject to review, in accordance with the provisions of chapter one of title one of part three of the Code of Civil Procedure. Upon such review, the burden of proof shall lie upon the appellant, and the court shall receive and consider any pertinent evidence, whether oral or documentary, concerning the action of the commissioner under review, but shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the commissioner in making such order, decision, or permit, or other official act.

SEC. 16. Section 17 of said act is hereby amended to read as follows:

Sec. 17. Every security issued by any company, without a permit of the commissioner authorizing the same then in effect, shall be void, and every security issued by any company, with the authorization of the commissioner but not in substantial conformity with such authorization, and all contracts, whether executed or executory, for the purchase thereof, shall be voidable at the election of the holder thereof, or purchaser thereunder, unless within ten days after written notice of such irregularity in the issuance of such security has been given to the commissioner, he shall issue a permit authorizing the issuance of such security as of the date and in the manner of its actual issuance, and the commissioner is hereby authorized in his discretion to issue such subsequent permit.

SEC. 17. Section 18 of said act is hereby amended to read as follows:

Sec. 18. Every company which shall directly or indirectly offer for sale, or negotiate for the sale of or sell, or issue, or cause to be issued any security contrary to the provisions of this act, or of the constitution of this state, or in nonconformity with a permit of the commissioner authorizing the same, or which applies the proceeds from the sale thereof, or any part thereof, to any purpose other than the purpose or purposes, if any, specified in such permit, or to any purpose specified in such permit in excess of any amount limited in such permit to be used for such purpose, shall be guilty of a public offense and shall be punishable by a fine not exceeding ten thousand dollars.

SEC. 18. Section 19 of said act is hereby amended to read as follows:

Sec. 19. Every officer, agent, or employee of any company and every other person, who knowingly authorizes, directs or aids in the issue or sale of, or issues or executes, or sells, or causes or assists in causing to be issued, executed, or sold, any security, in nonconformity with a permit of the commissioner then in effect authorizing such issue, or contrary to the provisions of this act, or of the constitution of this state, or who, in any application to the commissioner, or in any proceeding before him, or in any examination, audit, or investigation made by him or his authority, knowingly makes any false statement or representation, or who, with knowledge of its falsity, files or causes to be filed in the office of the commissioner any false statement or representation concerning such company or the property which it then holds or proposes to acquire, or concerning its officers or its financial condition or other affairs, or concerning its proposed plan of business, or who, with knowledge of the falsity of any such statement or representation, issues, executes, or sells, or causes to be issued, executed, or sold, any security, without first informing the commissioner of the falsity of such statement in writing, or who, directly or indirectly, knowingly applies, or causes or assists in causing to be applied, the proceeds, or any part thereof, from the sale of any security to any purpose contrary to the provisions of the permit authorizing the issue of such security, or to any purpose specified in such permit in excess of any amount limited in such permit to be issued for such purpose, or who, with knowledge that any security has been issued or executed, in violation of any of the provisions of this act, sells, or offers the same for sale, or who, with knowledge that any advertisement, pamphlet, prospectus, or circular concerning any security contains any statement that is false or misleading, or otherwise likely to deceive a reader thereof, issues, circulates, or publishes the same, or shall cause the same to be issued, circulated, or published, or who, in any respect, wilfully violates or fails to comply with any of the provisions of this act, or who, in any other respect, wilfully violates or fails, or omits, or neglects to obey, observe, or comply with any order, permit, decision, demand, or requirement, or any part or provision thereof, of the commissioner under the provisions of this act, or who with one or more other persons conspires to violate any permit or order issued by the commissioner or any of the provisions of this act, is guilty of a public offense and shall be punished by imprisonment in the state prison not exceeding five years.

or in a county jail not exceeding two years, or by a fine not exceeding five thousand dollars, or by both such fine and imprisonment.

SEC. 19. Section 20 of said act is hereby amended to read as follows:

SEC. 20. Whenever the commissioner shall believe from evidence satisfactory to him that any person, partnership, corporation or company has violated or is about to violate any of the provisions of this act, or any order, license, permit, decision, demand or requirement, or any part or provision thereof, he may bring an action in the name of the people of the State of California in the superior court of the State of California against such person, partnership, corporation or company to enjoin such person, partnership, corporation or company from continuing such violation or engaging therein or doing any act or acts in furtherance thereof. In said action an order or judgment may be entered awarding such preliminary or final injunction as may be proper.

SEC. 20. Section 21 of said act is hereby amended to read as follows:

SEC. 21. Whenever, after an examination, investigation or hearing under this act, the commissioner deems it of public interest or advantage, he may certify a record to the district attorney of the county in which the act or acts complained of, examined or investigated occurred. The district attorney of such county within ninety days after receipt of such record shall file a written statement at the Sacramento office of the commissioner, which said statement shall set forth the action taken upon such record, or if no action has been taken upon such record that fact must be stated.

SEC. 21. Section 22 of said act is hereby amended to read as follows:

SEC. 22. There is hereby created the division of corporations. The chief officer of such division shall be the commissioner of corporations. He shall be appointed by the governor and hold office at the pleasure of the governor. He shall receive an annual salary of seven thousand five hundred dollars, to be paid monthly out of the state treasury upon a warrant of the controller. He shall within fifteen days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the office of the secretary of state and execute to the people of the state a bond in the penal sum of ten thousand dollars with corporate security or two or more sureties, to be approved by the governor of the state, for the faithful discharge of the duties of his office.

SEC. 22. Section 23 of said act is hereby amended to read as follows:

SEC. 23. The commissioner shall employ such assistants, clerks and deputies as he may need to discharge in proper manner the duties imposed upon him by law, including stenographic reporters to take and transcribe the testimony in any formal hearing or investigation before the commissioner or authorized by him. The commissioner may employ counsel to render opinions upon all questions of law, relating to the construction or interpretation of this act or arising in the administration thereof, and to represent the commissioner in all actions and proceedings brought by or against him under or pursuant to any of the provisions of this act. The compensation of such counsel shall be subject to the approval of the department of finance. Neither the commissioner nor any of his assistants, clerks or deputies shall be interested in any company which shall have applied for or secured a permit to sell securities, or in any broker, or agent as a director, stockholder, officer, member, agent, or employee. Such assistants, clerks and deputies shall perform such duties as the commissioner shall assign to them. He shall fix the compensation of such assistants, clerks and deputies, which compensation shall be paid monthly, on the certificate of the commissioner and on the warrant of the controller, out of the state treasury. Each assistant and deputy shall, within fifteen days after his appointment, take and subscribe to the constitutional oath of office, and file the same in the office of the secretary of state.

SEC. 23. Section 24 of said act is hereby amended to read as follows:

SEC. 24. The commissioner shall at all times have the power to administer oaths and to make an examination or investigation of the books, records, accounts and other papers, and of the business of any company, broker, investment counsel or agent theretofore permitted or authorized by him to sell securities, or to act as an investment counsel, or to make dividends, to create debts, to divide, withdraw, or pay to the stockholders or any of them, any part of its capital stock, or to increase or reduce its capital stock; or of any company, broker, agent or investment counsel, or any other person who the commissioner has reason to believe has violated or is about to violate any of the provisions of this act. In making any such examination or investigation the commissioner may, for a reasonable time, take possession of and remove to his office the books, records, accounts and other papers of any company, broker, agent, or investment counsel; *provided, however,* such possession and removal shall not prevent any lawfully entitled officer or stockholder of such company from having access to such books, records, accounts and other papers of such company. Such power shall not be terminated by the suspension or revocation of any permit, order or certificate theretofore issued by him.

In any examination, audit or investigation made or hearing conducted by him, he shall have the power to take the testimony of any witness and to issue subpoenas, requiring the attendance upon such examination, audit, investigation or hearing in any part of the state of witnesses, and the production of books, documents, and other things under their control, and in any such case to take or cause to be taken

the deposition of any witness residing within or without this state, the commissioner may pay out of the revolving fund to any witness subpoenaed by him the necessary and reasonable traveling expenses of such witness from his place of residence to the place of hearing or investigation and return and a per diem of two dollars for each day that such witness is in attendance at or en route to and from such place of hearing or investigation in obedience to such subpoena.

All of the provisions of chapter 2 of title three of part four of the Code of Civil Procedure, relating to the means of production of evidence out of court, shall be applicable to any examination, investigation, or hearing under this act. No person shall be excused from testifying or from producing any book, document, or other thing under his control upon any such examination, audit, investigation, or hearing upon the ground that his testimony, or the book, document or other thing required of him, may tend to incriminate him, or may have a tendency to subject him to punishment for a felony, or to a penalty or forfeiture; but no person shall be prosecuted, punished or subjected to any penalty or forfeiture for or on account of any act, transaction, matter, or thing concerning which he shall have been so compelled to testify under oath; *provided*, that no person so testifying shall be exempt from prosecution or punishment for perjury if committed by him in his testimony. The authority to make or conduct any such examination, audit, investigation or hearing, including the authority to administer oaths, and to subpoena witnesses and take their testimony, may be delegated by the commissioner to any deputy or examiner appointed by him for that purpose. Such appointment shall be made by an instrument in writing, signed by the commissioner under his official seal, and upon such examination, audit, investigation or hearing, the same shall be produced by such deputy or examiner at any time upon demand therefor.

Sec. 24. Section 25 of said act is hereby amended to read as follows:

Sec. 25. In any action or proceeding commenced or prosecuted in this state against any corporation or association which shall have appointed the commissioner its attorney, as provided in section 3 of this act, and in any action or proceeding commenced or prosecuted in this state, arising out of or founded upon the fraud of any corporation or association which shall have appointed the commissioner its attorney, as provided in section 5 of this act, service of process may be made upon the commissioner. In any such case, the commissioner shall forthwith forward by mail, postage prepaid, to the person designated by such corporation or association by an instrument in writing duly executed by it and filed with the commissioner, at the address stated in such instrument, or, if no such designation has been made, to the secretary of such corporation or association at its last known post-office address, a copy of such process; whereupon, and upon the payment of the fee herein provided for, service of such process upon such company shall be deemed to be complete and to be personal service upon such corporation or association, with the same effect as if said corporation or association were organized or incorporated under the laws of this state and had been lawfully served with process therein. The certificate of the commissioner, under his official seal, of such service, shall be competent and sufficient proof thereof.

Sec. 25. Section 26 of said act is hereby amended to read as follows:

Sec. 26. The commissioner shall have his principal office in the city of Sacramento, and may establish branch offices in the city and county of San Francisco, in the city of Los Angeles, and in the city of San Diego, and he shall from time to time obtain the necessary furniture, stationery, fuel, light, and other proper conveniences for the transaction of the business of the department; the expenses of which shall be paid out of the state treasury on the certificate of the commissioner and the warrant of the controller.

Sec. 26. Section 27 of said act is hereby amended to read as follows:

Sec. 27. The commissioner shall charge and collect the following fees:

1. For filing an original or supplemental application for a permit to issue securities, ten dollars, plus—

One-twentieth of one per cent of the amount of any excess of the aggregate value of the securities sought to be issued over twenty thousand dollars and not exceeding fifty thousand dollars;

One twenty-fifth of one per cent of such amount in excess of fifty thousand dollars and not exceeding one hundred thousand dollars;

One-fiftieth of one per cent of such amount in excess of one hundred thousand dollars and not exceeding five hundred thousand dollars; and

One one-hundredth of one per cent of such amount in excess of five hundred thousand dollars.

For the purpose of determining the above fees:

(a) The value of such securities shall be deemed to be their par or face value unless the consideration for such securities is in excess of such par or face value, in which case the value will be deemed to be the amount of the consideration so received.

(b) Where the securities proposed to be issued have no nominal or par value, the value of such securities shall be deemed to be the price at which the company proposes to sell or issue the same, or the value, as alleged in the application, of the consideration (if other than money) to be received in exchange therefor; *provided*, however, until a new value shall have been established, that each share of no par

value stock proposed to be issued shall be deemed to have a value equal to the value which has been established by previous sales for money or other property of other shares of the same class.

(c) Interim or voting trust certificates shall be deemed to have a value equal to the aggregate value of the securities to be represented by said interim or voting trust certificates.

(d) Rights, warrants or other certificates evidencing stockholders' rights to purchase additional securities shall be deemed to have a value equal to the difference between the selling price of the securities represented by such rights, warrants or other certificates and the market value of the securities so represented at the date of filing of application.

(e) Where an application is made to issue securities containing a provision entitling the holder or holders thereof to convert or exchange the same for a different class of securities the value of the securities to be so issued shall be deemed to be an amount equal to twice the amount of the consideration to be received for the securities containing the conversion or exchange provision.

2. For filing any application for a permit or other authority to make dividends, create debts, or to divide, withdraw, increase, reduce or pay to the stockholders, or any of them, the capital stock, or any part thereof, the same amount that would otherwise be chargeable or collectible if such application were for a permit to issue securities; *provided*, that in any such case the value shall be determined by the amount of dividends made, debts created, or capital stock divided, withdrawn, increased, reduced, or paid.

3. For filing any application for a broker's or an investment counsel's certificate, twenty-five dollars.

4. For filing any application for an agent's certificate, five dollars.

5. For any examination, audit, or investigation, ten dollars per day or fraction thereof, if made by the commissioner, or the actual amount of the salary or other compensation, not exceeding ten dollars per day, paid to any deputy or other employee of the commissioner, if made by a deputy or other employee, for each day or fraction thereof that such commissioner, deputy, or other employee shall necessarily be absent from his office for the purpose of making such examination, audit, or investigation, plus the actual amount of expenses reasonably incurred in the performance of such work.

6. For copies of papers and records not required to be certified or otherwise authenticated by the commissioner, ten cents for each folio.

7. For certified copies of official documents, orders and other papers filed in his office; for making and mailing copies of process served upon him under the provisions of section 18 of this act, and for transcript on appeal, fifteen cents for each folio and one dollar for each certificate under seal affixed thereto.

8. For certificate of service and mailing of process served upon the commissioner under the provisions of section 18 of this act, two dollars.

9. For filing any application for an amendment to an existing permit to issue securities, or for a permit to negotiate for the sale of securities or requesting the written consent of the commissioner to a proposed instrument amending, supplementing or abrogating any portion of any mortgage, deed of trust, indenture or other instrument under which bonds, debentures or other evidences of indebtedness are issued or secured, ten dollars.

No fees shall be charged or collected for copies of papers, records, or official documents furnished to public officers for use in their official capacity or for the reports of the commissioner in the ordinary course of distribution; but the commissioner may fix a reasonable charge for the publications issued under his authority.

All fees charged and collected under this section shall be paid at least once each week, accompanied by a detailed statement thereof, into the treasury of the state to the credit of a fund to be known as the "Corporation Commission Fund," which fund is hereby created.

SEC. 27. Section 28 of said act is hereby amended to read as follows:

Sec. 28. The commissioner shall have power, whenever any application is made to him for permission to issue securities, which securities are proposed to be secured by a lien upon real or personal property, or exchanged for or issued in consideration of real or personal property, to accept and act upon the opinions, appraisements and reports of any engineers or appraisers which may be presented by the applicant so applying for permission on any question of fact concerning or affecting the securities proposed to be issued. In lieu of, or in addition to such opinions, appraisements and reports, the commissioner, if he deems it proper, may have any or all of matters concerning or affecting such securities investigated, appraised, passed upon and certified to him by engineers, or appraisers employed by him at the expense of the applicant. The actual expense of such investigation or appraisal shall be paid by the applicant, and the commissioner, before making or causing such investigation or appraisal to be made, may require a cash deposit of such amount as he may deem necessary to cover such expense. The cash so deposited under this section shall be paid at least once each week, accompanied by a detailed statement thereof, into the treasury of the state to the credit of a fund to be known as the "Corporation Commission Appraisal Fund," which fund is hereby created. All investigations or

appraisements required by the commissioner to be made pursuant to this section shall be paid out of said fund, and any amount remaining of the deposit made pursuant to this section by any applicant after the payment of all expenses or investigations or appraisements made in connection with the application of such applicant shall be repaid to such applicant. All moneys which shall be paid into the state treasury and credited to the "Corporation Commission Appraisal Fund" are hereby appropriated to be used by the commissioner in carrying out the provisions of this section; and the controller shall draw his warrant on said fund from time to time in favor of the commissioner for the amounts expended under his direction, and the treasury shall pay the same.

SEC. 28. Section 29 of said act is hereby amended to read as follows:

SEC. 29. All moneys which shall be paid into the state treasury and credited to the "Corporation Commission Fund" are hereby appropriated to be used by the commissioner in carrying out the provisions of this act; and the controller shall draw his warrant on said fund from time to time in favor of the commissioner for the amounts expended under his direction, and the treasurer shall pay the same. The commissioner may, with the consent of the board of control, withdraw from said fund a sum not exceeding two thousand five hundred dollars, to be used as a revolving fund where cash advances are necessary. The commissioner must account for the sum withdrawn for said revolving fund at any time upon demand of the board of control.

SEC. 29. A new section, to be numbered 30, is hereby added to said act, to read as follows:

SEC. 30. The commissioner shall adopt a seal bearing the following inscription: "Commissioner of Corporations State of California." The seal shall be affixed to all writs, orders, permits, and certificates issued by him, and to such other instruments as he shall direct. All courts shall take judicial notice of said seal.

SEC. 30. A new section, to be numbered section 31, is hereby added to said act, to read as follows:

SEC. 31. The commissioner may execute in duplicate any order, finding, or permit issued by him, and each of such parts shall be deemed to be an original. An original of every such order, finding, or permit shall be retained and preserved by him in his office. Copies of all documents, orders, and permits made, executed, or issued by the commissioner, and of all papers filed in his office, when certified by the commissioner under his official seal, shall be received in evidence in all cases in like manner and with the same effect as the originals. Any order or permit issued by the commissioner, or a copy thereof certified by the commissioner under his official seal, to be a true copy of the original order or permit, may be recorded in the office of the county recorder of the county in which is located the principal place of business of the company affected thereby or in which is situated any property of such company, and such record shall impart notice of such order or permit, and of all its provisions, to all persons. A certificate under the seal of the commissioner that any such order or permit has not been amended, altered, revoked, or suspended may also be recorded in the same offices and with like effect.

SEC. 31. A new section, to be numbered section 32, is hereby added to said act, to read as follows:

SEC. 32. Every official report made by the commissioner, and every report, duly verified, made to him by any deputy, clerk, or other persons employed by him, of any examination, audit, or investigation made by him or under his direction, and copies of such reports, certified by the commissioner, shall be prima facie evidence of the facts therein stated for all purposes in any action or proceeding wherein any company, broker, agent, or the commissioner is a party.

SEC. 32. A new section, to be numbered section 33, is hereby added to said act, to read as follows:

SEC. 33. The commissioner may, after four years from date of filing and with the approval of the board of control, destroy all applications, permits and certificates, together with the files and folders, as the same have become useless or obsolete.

SEC. 33. A new section, to be numbered section 34, is hereby added to said act, to read as follows:

SEC. 34. Neither this act nor any provision hereof shall be deemed to prohibit subscriptions for shares of a domestic corporation made prior to the incorporation thereof and set forth in the articles of incorporation; but such subscription shall be deemed to have been made and accepted upon the condition that such corporation shall be incorporated within ninety days thereafter, and, when incorporated, shall with reasonable diligence apply for and secure from the commissioner a permit authorizing the issue of the shares so subscribed for, in accordance with such subscriptions; *provided, however*, that except as may be specifically required by any law of this state, nothing herein contained shall be construed as permitting the collection of any portion of the consideration to be paid on account of such subscriptions, unless and until a permit shall have been issued by the commissioner authorizing such collection; nor except as may be specifically required by any law of this state, nothing herein contained shall be construed as permitting the taking of subscriptions for any security of any company other than a domestic corporation or to make collection of any portion of the consideration to be paid on account of

subscriptions unless and until a permit shall have been issued by the commissioner authorizing the taking of such subscriptions or the collection thereof. The directors or trustees named in the articles of incorporation may, prior to the issue of any shares, organize by the election of a president, a secretary and a treasurer; and such directors, or a majority of them or such president and secretary may, in the name of and in behalf of the corporation, present an application to the commissioner as herein provided.

SEC. 34. A new section, to be numbered section 35, is hereby added to said act, to read as follows:

Sec. 35. All decisions, orders, rules, findings, certificates, or permits heretofore made or issued, and acts done by the commissioner, shall continue in force and have the same effect as if they had been lawfully made, issued, or done under the provisions of this act.

This act shall not affect any appeal pending from any decision of the commissioner, or any proceedings to which he, in his official capacity, is a party; but the same may be prosecuted or defended with the same effect as if this act had not been passed. Any examination, audit, or investigation undertaken, commenced, or prosecuted prior to the taking effect of this act may be conducted to a final determination in the same manner and with the same effect as if it had been undertaken, commenced, or prosecuted under the provisions of this act, and in the manner herein provided. No action or proceeding, either civil or criminal, or cause of action arising under any law of this state shall abate by reason of the passage of this act, but actions or proceedings may be commenced and prosecuted upon such causes in the same manner and with the same effect as if this act had not been passed.

SEC. 35. A new section, to be numbered section 36, is hereby added to said act, to read as follows:

Sec. 36. Neither this act nor any provision hereof shall apply to or be construed as a regulation of commerce with foreign nations or among the several states, except in so far as the same may be permitted under the provisions of the constitution and the acts of the congress of the United States.

SEC. 36. A new section, to be numbered section 37, is hereby added to said act, to read as follows:

Sec. 37. If, pursuant to the express provisions of any mortgage, deed of trust, indenture or other instrument hereafter executed under which bonds, debentures or other evidences of indebtedness are secured or issued, the consent of the commissioner to any proposed instrument amending, supplementing or abrogating any of the covenants, agreements, conditions, provisions or other terms of such mortgage, deed of trust, indenture or other instrument, is required in lieu of, or in addition to, the consent to such proposed instrument of all, or any specified portion, of the holders or owners of such bonds, debentures or other evidences of indebtedness, then, upon the filing of a verified application requesting the commissioner to give such consent and setting forth such proposed instrument and the reasons for the execution thereof, it shall be the duty of the commissioner to examine such application, and if he finds such proposed instrument just, fair and equitable, to give his consent thereto.

SEC. 37. A new section, to be numbered section 38, is hereby added to said act, to read as follows:

Sec. 38. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause, and phrase thereof irrespective of the fact that any one or more other sections, subsections, sentences, clauses, or phrases be declared unconstitutional.

SEC. 38. A new section, to be numbered section 39, is hereby added to said act, to read as follows:

Sec. 39. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 40. Sections 20a and 24a of said act are hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

RUSH ORDER TO PRINTER.

On motion of Senator Breed, the Secretary was directed to issue a rush order for printing Senate Bill No. 701.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, streets, roads and highways and other wells—has

had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that the bill be re-referred to the committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

(Signed out)

SHARKEY, Chairman.
EDWARDS.
HARPER.
MALONEY.
MORAN.
WAGY.

SECOND READING OF SENATE BILL NUMBER THREE HUNDRED SIXTY-THREE

Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, streets, roads and highways and other wells.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, after the comma preceding the word "streets", insert the following: "public".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, immediately preceding the first word "Any", insert the following: "Section 1."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 5 to 18, inclusive, and insert in lieu thereof the following: "is situated or within one hundred feet of a public street or road or highway dedicated prior to the commencement of drilling of such well or within one hundred fifty feet of any well theretofore drilled and which is producing oil or gas or both, is hereby declared a public nuisance; *provided*, that where several contiguous parcels of land in one or different ownerships are operated as a single oil or gas lease or operating unit, the term "outer boundary line" shall mean the outer boundary line of the lands included in such lease or unit, and in determining the contiguity of any such parcels of land no street, road or alley lying within the same shall be deemed to interrupt such contiguity; *provided*, that where a parcel of land contains one acre or more, but is less than two hundred feet in width, then there may be drilled on said parcel of land not more than one well to each acre of the area if the well is so placed as to be as far from the lateral boundary lines of said parcel of land as the configuration of the surface and the existing improvements thereon will permit. For the purposes of this act an alley which intersects or lies within any block or other subdivision unit shall not be deemed to constitute a public street or road.

Each day in which the drilling of such well is carried on or in which such well is permitted to produce oil or gas or both shall be deemed a separate nuisance.

The provisions of this act shall not apply to the deepening, redrilling, or repair of, or other operations in, any well which may have been heretofore drilled, or to the drilling or completion of, or any of the aforesaid operations in, any well the drilling of which may have been heretofore commenced."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Oil Industries.

RUSH ORDER TO PRINTER.

On motion of Senator Sharkey, the Secretary was directed to issue a rush order for printing Senate Bill No. 363.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended in Senate March 5, 1931, after the word "taxes", insert the following: "and to the extension of the period of redemption of such property".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, as amended in Senate March 5, 1931, after the period following the figure "3817", insert the following: "(a)".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 11, of the printed bill, as amended in Senate March 5, 1931, after the word "penalties", insert the following: "for delinquency".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 12, of the printed bill, as amended in Senate March 5, 1931, after the word "costs", insert the word "due".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, as amended in the Senate March 5, 1931, commencing on line 12 thereof, strike out the following: "for any or all of the sales made to the state as aforesaid", and insert in lieu thereof the following: "at the time of such sale".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 13, of the printed bill, as amended in Senate March 5, 1931, strike out the words "due thereon at the time of said sale", and insert in lieu thereof the following: "on the aggregate amount of said taxes".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 1, line 15, of the printed bill, as amended in Senate March 5, 1931, strike out the word "estate", and insert in lieu thereof the word "property".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, commencing on line 15, of the printed bill, as amended in Senate March 5, 1931, strike out the following: "of the sale or sales on account of which redemption is made. And", and insert in lieu thereof the following: "said taxes became delinquent; and also all unpaid taxes of every description assessed against the property for each year since the sale, as shown on the delinquent assessment rolls in the then permanent custody of the county auditor; or, if not so assessed, then upon the value of the property as assessed in the year nearest the time of such redemption, with interest from the first day of July of each of said years respectively, at the same rate, to the time of redemption;"

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 43, of the printed bill, as amended in Senate March 5, 1931, insert new paragraphs as follows:

"(b) In all cases where real estate has been sold, or may hereafter be sold to the state for delinquent taxes, and the period of redemption has not expired thereon, and where the person whose estate has been or may hereafter be sold, his heirs, executors, administrators or other successors in interest shall, contemporaneously or prior to the payments hereinafter provided, also pay the current state and county taxes for the year during which such payment shall be made, such person shall at any time after the same has been sold to the state and before the period of redemption has expired, have the right to extend the period during which such real

estate may be redeemed, for the additional periods of one year each, by paying to the county treasurer of the county wherein said real estate may be situated the following amounts for the following periods, respectively: (1) for extending the period of redemption for the first period of one year, by paying to the county treasurer a sum of money equal to the amount of the taxes, penalties for delinquency and costs thereon for which said real estate was originally sold to the state together with a sum equal to interest thereon at the rate of seven per cent per annum; (2) for extending the period of redemption for each additional year thereafter, by paying to the county treasurer a sum of money equal to the taxes, penalties for delinquency and costs thereon for each of the second, third, and/or fourth years of delinquency, respectively, together with a sum equal to the interest thereon at the rate of seven per cent per annum.

A receipt shall be given by the county treasurer to the person so paying said amounts, evidencing payments as compensation for the use and occupancy of said real estate and to be applied as a credit if, when and as redemption is made, as in this subdivision hereinafter provided.

Such payments shall not be deemed a redemption of such real estate nor affect the right, title, or interest in the state thereto, but shall postpone, for the period or periods aforesaid, the time when said real estate shall be deemed to or may be disposed of by the state and the moneys so paid shall be deemed and considered as compensation for the use and occupancy of said real estate; *provided, however*, that if redemption shall thereafter be made as hereinabove in subdivision (a) of this section provided, the amounts so paid to extend said periods of redemption shall be credited on the amounts to be paid for such redemption.

Sec. 2. The Legislature hereby declares that it deems it necessary for the immediate preservation of the public health and safety that this act shall go into immediate effect by reason of the following facts: That unless the section hereby amended takes immediate effect large revenues from lands sold to the state for delinquent taxes shall be lost to the State of California. And it is hereby declared that this act constitutes an emergency measure which, under the provision of section 1 of article 4 of the constitution of the State of California, shall go into immediate effect.

This act shall take effect immediately."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Revenue and Taxation.

Senate Bill No. 145—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, school districts and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect them against such liability, and repealing chapter 328, Statutes of 1923, entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances, approved June 13, 1923," limiting the liability of municipalities, counties, cities and counties, school districts or other public or quasi-public corporations for the negligence of their respective officers in certain instances.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "buildings", insert the word "parks".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 1, of the printed bill, strike out everything after the comma, in line 1, down to and including the word "condition", in line 2.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 17, of the printed bill, strike out the word "ten", and insert instead thereof the word "thirty".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill, strike out the word "certified", and insert instead thereof the word "verified".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 8, of the printed bill, strike out everything after the word "or", in line 8, down to and including the word "California" in line 10, and insert instead thereof the words "attorney having charge of such matters".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect their officers against such liability, and repealing chapter 360, Statutes of 1919, entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to persons or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," relating to the liability in damages of the officers of districts, towns, cities and counties, counties, and of the State of California.

COMMITTEE AMENDMENTS.

During second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "buildings", insert the word "parks".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, strike out the words "and being able to remedy the condition".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 33, of the printed bill, strike out the word "ten", and insert instead thereof the word "thirty".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 37, of the printed bill, strike out the word "certified", and insert instead thereof the word "verified".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 517—An act to amend sections 674, 675, 679 and 689 of, and to add section 658a to, the Political Code, relating to the Department of Finance.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 671—An act to amend section 2 of chapter 12, Statutes of 1911, entitled "An act providing for the management of the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park," relating to compensation of wardens.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 12—An act to amend section 2 of chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State park system; to establish and define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the State park system.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 471—An act to amend section 642 of the Political Code, relating to the duties of the fish and game commissioners.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 84—An act to amend section 1 of chapter 322, Statutes of 1913, entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, as amended, relating to the Legislative Counsel of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 685—An act authorizing the Department of Finance to sell all of the right, title and interest of the State of California in and to certain real property situate in the County of San Joaquin, State of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 430—An act adding a new section to be numbered 7b to chapter 648, Statutes of 1909, entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts

in conflict with this act." as amended, relating to the use and disposition of moneys and funds of district agricultural associations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 571—An act to provide for the study of certain matters relating to crime, criminals, and penal laws, by the University of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert in lieu thereof the following:

"An act providing for investigation of and report upon certain matters relating to crime, criminals and penal laws including particularly the cost of crime to the state, defining the powers and duties of the state director of finance and other public officers in relation thereto, and making an appropriation therefor."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 3 and 4 and insert in lieu thereof the following: "study, the state director of finance is hereby authorized and instructed to investigate the cost of crime in all its aspects and all factors contributing thereto, together with".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, strike out "said bureau of public administration", and insert in lieu thereof the following: "director of finance".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 18, of the printed bill, after the comma in said line, insert the following: "the California crime commission, the bureau of criminal identification and investigation, the California bureau of juvenile research and the bureau of public administration of the University of California,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, lines 22 and 23, of the printed bill, strike out "said bureau of public administration", and insert in lieu thereof the following: "the director of finance".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 24, of the printed bill, strike out "said bureau of public administration", and insert in lieu thereof the following: "director of finance".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 5, of the printed bill, strike out "said bureau of public administration", and insert in lieu thereof the following: "director of finance".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 11, of the printed bill, strike out "bureau", and insert in lieu thereof the following: "director".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 16, of the printed bill, strike out lines 16 to 18, inclusive, and insert in lieu thereof the following: "three thousand dollars to be expended in

accordance with law by the director of finance in carrying out the provisions of this act."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out "State", and insert in lieu thereof "state".

Amendment adopted.

AMENDMENT NUMBER ONE a.

On page 1, line 15, of the printed bill, after "funds", insert "directly".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, after "state", insert the following: "excluding all political subdivisions, municipal, public and quasi-public corporations".

Amendment adopted.

AMENDMENT NUMBER TWO a.

On page 1, line 22, of the printed bill, strike out "State", and insert in lieu thereof "state".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 1 and 2, of the printed bill, strike out "of a member", and insert in lieu thereof "as defined herein".

Amendment adopted.

AMENDMENT NUMBER THREE a.

On page 3, line 9, of the printed bill, strike out "State", and insert in lieu thereof "state".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 37, of the printed bill, strike out "affirmative".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 39, of the printed bill, after "Persons", insert "directly".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 39, of the printed bill, after "appointed", insert "without the nomination of any officer or board".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 39, of the printed bill, after "governor", insert "and who do not file with the board of administration an election in writing to become members".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, lines 40 and 41, of the printed bill, strike out ", other than those employed by state teachers colleges,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out line 43, and insert in lieu thereof the following: "in parts four and five of division five of the School Code, except teachers in schools entirely or partially supported by state controlled funds, and whose entire compensation for full time teaching is paid directly to them by the state, at least fifty per cent of such compensation coming out of state appropriations,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 47, of the printed bill, strike out "employed by state teachers colleges", and insert in lieu thereof: "in schools entirely or partially supported by state controlled funds, and whose entire compensation for full time teaching is paid directly to them by the state, at least fifty per cent of such compensation coming out of state appropriations and".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, between lines 49 and 50, insert the following: "Sec. 38a. Persons otherwise entitled to become members of the retirement system, but who receive some part of their compensation from the United States government and who are beneficiaries under and are contributing to the fund created by an act of congress entitled "An act for the retirement of employees in the classified civil service and for other purposes," approved May 22, 1920, and acts in amendment thereof."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, lines 22 and 23, of the printed bill, strike out "Pending establishment of a retirement system", and substitute in lieu thereof the following: "Within thirty days after this act takes effect".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, lines 28 and 29, of the printed bill, strike out "one such member's term will expire December thirty-first of each year", and insert in lieu thereof the following: "their terms will expire as follows: (1) one member December 31, 1932; (2) two members December 31, 1933; (3) two members December 31, 1934."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 37, of the printed bill, strike out "may", and insert in lieu thereof "shall".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN a.

On page 5, line 25, of the printed bill, insert a hyphen between "half", and "year".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 49, of the printed bill, strike out "salaries", and insert in lieu thereof "allowances".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 6, line 50, of the printed bill, strike out "or income", and insert in lieu thereof "earned".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 50, of the printed bill, after "cash", strike out "or", and insert in lieu thereof the following: "deposited in a bank by the state treasurer and income on".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN a.

On page 7, line 7, of the printed bill, after "deposits", strike out "or", and insert in lieu thereof the following: ", nor shall any such member or employee".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 7, line 14, of the printed bill, strike out "salary", and insert in lieu thereof "compensation".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN a.

On page 7, line 18, of the printed bill, strike out the hyphen between "one", and "one", and insert a hyphen between "one", and "hundred".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 7, line 19, of the printed bill, strike out "salary", and insert in lieu thereof "compensation".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 7, line 26, of the printed bill, strike out "salary", and insert in lieu thereof "compensation".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 7, line 30, of the printed bill, strike out "salary", both times that it appears.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 8, between lines 1 and 2, of the printed bill, strike out "salary", both times that it appears.

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 9, line 13, of the printed bill, after the period following "contributions", insert the following: "It may allow interest on such additional contributions and may invest them in the same manner and subject to the same restrictions as normal contributions, but the state's contribution shall not be increased or in any manner affected as a result of the payment of such additional contributions."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 9, line 17, of the printed bill, strike out "special", and insert in lieu thereof "other".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 9, line 17, of the printed bill, after "funds", insert "out of which compensation is paid to members,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 9, line 20, of the printed bill, strike out "each special", and insert in lieu thereof "every other".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, line 20, of the printed bill, immediately before "as", insert "out of which compensation is paid to members,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN *a*.

On page 9, line 39, of the printed bill, after "89", insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, line 15, of the printed bill, beginning with and including "The", strike out the rest of line 15 and lines 16 to 19, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 12, line 44, of the printed bill, strike out "greater than", and insert in lieu thereof "amount to".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 12, line 51, of the printed bill, after the comma following "member", insert "and".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 12, line 52, of the printed bill, strike out "be", and insert in lieu thereof "is".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 14, line 15, of the printed bill, strike out the "l", in "lnominate", and immediately after "shal", insert an "l", so that the two words shall read "shall nominate".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 14, line 27, of the printed bill, strike out "or", and insert in lieu thereof "of".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 15, line 40, of the printed bill, strike out "State", and insert in lieu thereof "state".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 15, line 41, of the printed bill, strike out "salaries", and insert in lieu thereof "compensation".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 15, line 42, of the printed bill, strike out "salaries are", and insert in lieu thereof "compensation is".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 15, line 44, of the printed bill, strike out "salaries", and insert in lieu thereof "compensation".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 15, line 47, of the printed bill, strike out "State", and insert in lieu thereof "state".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 15, line 49, of the printed bill, strike out "There", and insert in lieu thereof the following: "In addition to such payments out of the general fund, there".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 15, line 49, of the printed bill, strike out "State", and insert in lieu thereof "state".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 15, line 50, of the printed bill, strike out "each special", and insert in lieu thereof "every other".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 15, line 51, of the printed bill, after "treasury", insert the following: "out of which the compensation of members is paid".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 15, line 52, of the printed bill, strike out "salaries", and insert in lieu thereof "compensation".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 16, line 3, of the printed bill, strike out "salaries", and insert in lieu thereof "compensation".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 16, line 4, of the printed bill, strike out "special", and insert in lieu thereof "such".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 16, lines 5 and 6, of the printed bill, strike out "the respec-", in line 5; also strike out line 6, and insert in lieu thereof the following: "each such fund, respectively, to the 'state employees' retire-".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 16, between lines 7 and 8, of the printed bill, insert the following: "Sec. 110. For the purpose of computing the total amounts of compensation of members under the provisions of sections 108 and 109 of this act, the compensation of every member who receives in excess of four hundred sixteen dollars and sixty-six cents per month shall be computed as four hundred sixteen dollars and sixty-six cents per month."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 16, line 8, of the printed bill, strike out "110", and insert in lieu thereof "111".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 438—An act to add four new sections to the Political Code, to be numbered 690*a*, 690*b*, 690*c* and 690*d*, relating to the division of land settlement and the State Department of Finance.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered.

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of "690c" being lines 6 to 31 inclusive, and insert in lieu thereof the following:

"690c. All assets acquired by the department of finance from the department of agriculture under the provisions of this act shall be placed under the administration of the division of state lands of the department of finance. The director of finance is hereby authorized and empowered, upon such terms and subject to such conditions as in his judgment shall be for the best interests of the State of California, to sell for cash or on deferred payments, to farm or lease for cash rental or share rental, to manage, repair, insure against fire and otherwise to control or dispose of any or all of the properties, real or personal, tangible or intangible, acquired by the department of finance as successor to the department of agriculture, the state land settlement board, the division of land settlement of the department of public works, or other governmental authority created by an act of the Legislature approved June 1, 1917, known as the "Land Settlement Act" (Statutes of 1917, chapter 755) or by amendment thereto, or by sections 361e to 361i, inclusive, of the Political Code; to grant easements and rights of way affecting any of said lands and to acquire easements and rights of way for the benefit of any of such lands; and for and on behalf of the State of California and in the name of the State of California or the department of finance, to negotiate, release, receive, accept, execute and deliver, leases, contracts, notes, deeds of trust, mortgages, assignments, bills of sale or other instruments, to commence, prosecute and defend suits, to liquidate indebtedness, foreclose or cause to be foreclosed mortgages and deeds of trust, and to do every other thing necessary or expedient, for the performance of the purposes of this act. The director of finance shall have the power to employ such clerical and other assistance as may in his opinion, be necessary to perform the provisions of this act."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Governmental Efficiency.

Senate Bill No. 42—An act to add a new section to the Code of Civil Procedure of California, to be known as section 66a, relating to judges of the superior court in San Diego County, and to repeal certain acts therein named.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out lines 1 to 4, inclusive, of the title of the printed bill, and insert in lieu thereof the following:

"An act to increase the number of judges of the superior court of the State of California, in and for the county of San Diego; to provide for the appointment of two additional judges and the manner of payment of their compensation."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and on page 2, lines 1 to 14, inclusive, and insert in lieu thereof the following:

"SECTION 1. The number of judges of the superior court of the State of California, in and for the county of San Diego, is hereby increased from five to seven.

SEC. 2. Within ten days after the taking effect of this act, the governor shall appoint two additional judges of the superior court of the State of California, in and for the county of San Diego, who shall hold office until the first Monday after the first day of January, A.D. 1933. At the general election to be held in November, A.D. 1932, two judges of the superior court of said county shall be elected in said county who shall be the successors to the judges appointed hereunder to hold office for the term prescribed by the constitution and by law.

SEC. 3. The salaries of said additional judges shall be the same in amount and shall be paid at the same time and in the same manner as the salaries of the other judges of said superior court now or hereafter authorized by law."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 172—An act to amend the California Irrigation District Act by adding a new section thereto to be numbered 47a, relating to partial redemption of land sold for delinquent assessment.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the word "partial".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 7, of the printed bill, after the word "redemption", and before the word "may", insert the following: "of a portion of said lot, piece or parcel of land".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, strike out the word "partial".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 25, of the printed bill, after the word "assessor", insert a comma and the following: "or the board may refuse to authorize such redemption,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 772—An act to amend section 21, chapter 914, Statutes of 1921, entitled California Water Storage District Act, approved June 3, 1921, as amended, relating to the collection of unpaid assessments, the sale of property for delinquent assessments and the redemption of said property.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the word "entitled", and substitute in lieu thereof the words "known as".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, strike out the figures "707", and insert in lieu thereof the figures "218".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out the figures "1927", and insert in lieu thereof the figures "1929".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, between the words "the", and "amount", insert the word "said".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3 of the printed bill, strike out lines 11 to 15, inclusive, and insert in lieu thereof the following: "erty sought to be redeemed".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 20, of the printed bill, strike out the word "successors", and insert in lieu thereof the word "successor".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 45, of the printed bill, between the word and comma "sale," and the word "such", insert the words and comma "for valuable consideration,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 235—An act to amend section 6260 of the Penal Code, relating to the protection of fish and game.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"6260. Every person who, in the State of California, shoots at any kind of game fish, game bird or mammal, except whale, from power boat, sail boat, automobile or airplane, or who has in his possession or brings ashore any game fish that has been shot by any firearm or harpoon, is guilty of a misdemeanor."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 382—An act to amend section 31, of chapter 189, Statutes of 1897, the California Irrigation District Act, by amending section 31 thereof, relating to the issuance of bonds.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Beginning in line 1 of the title of the printed bill, strike out the words and figures "section 31 of chapter 189, statutes of 1897, entitled", and insert in lieu thereof the following: "sections 31 and 32a of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 1 and 2, of the printed bill, strike out the words and figures "chapter 189, statutes of 1897, entitled".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 26, of the printed bill, after the word "directors", insert the following: "who may be in office at the date of said bond or at any time thereafter prior to the delivery of said bond to the purchaser thereof from the district,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 12, of the printed bill, beginning with the word "at", strike out the word "at", and all of the balance of line 12, and all of line 13.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 14, of the printed bill, strike out the word "next", and strike out all of lines 15 and 16, and the words "day of July and", in line 17, and insert in lieu thereof the following: "of the years designated by the board of directors but".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 23, of the printed bill, after the period insert the following: "The board of directors may, with the approval of the California bond certification commission, provide for the call and redemption of any of said bonds in numerical order, or by lot, on any interest payment date prior to their fixed maturity, at not exceeding the par value thereof and accrued interest, in which event a statement to that effect shall be set forth in the face of the bond. Notice of such redemption shall be published once a week for three successive weeks in a newspaper of general circulation printed and published within the county in which the office of the district is located, the first publication of which shall be at least thirty days prior to the date fixed for such redemption. After the date fixed for such redemption, if the district shall have provided funds available for the payment of the principal and interest of the bonds so called, interest on said bonds thereafter shall cease.

Sec. 2. Section 32a of said act is hereby amended to read as follows:

Sec. 32a. The board of directors of any irrigation district organized under or subject to the provisions of this act may as hereinafter provided cause funding or refunding bonds to be issued for the purpose of funding or refunding any or all outstanding bonds of the district. Such refunding or refunding bonds shall, except as otherwise provided herein, be issued in substantially the manner and form prescribed by this act for the issuance of other bonds of irrigation districts, and the provisions of this act and of the act creating the California bond certification commission concerning the authorization, certification, issuance and sale of bonds of irrigation districts shall be applicable to bonds issued under this section; *provided, however*, that no survey, examination, drawing, plan, estimate or report of the California bond certification commission as provided in sections 30, 30a, and 30b hereof shall be required to be made, nor shall any resolution of the board of directors that the proposed plan of works is satisfactory as prescribed by section 30b hereof be required to be adopted, but in lieu thereof the board of directors of any district desiring to fund or refund any of its bonds may submit to the California bond certification commission its proposed plan for funding or refunding such bonds. The board of directors of any district may make such expenditures or, with the approval of the California bond certification commission, may incur indebtedness, and issue warrants therefor, for the purpose of paying the cost and expenses of effecting any such funding or refunding. If such plan is approved by said commission, the board of directors of such district may call an election for the purpose of authorizing the issuance of such funding or refunding bonds. Such election shall be called and held and the result thereof determined and declared substantially in the same manner as provided by this act for the issuance of other bonds of such district, except that a majority vote only shall be required for the authorization of such refunding bonds. The maturity or maturities of said funding or refunding bonds shall be fixed by the board of directors of such district subject to the approval of the California bond certification commission, but in no case shall the maturity of any of said bonds be more than fifty years from the date thereof.

Any issue of such funding or refunding bonds may, in the discretion of the board of directors, mature serially or at one time, but if any issue of such bonds shall mature at one time the board of directors prior to or at the time of the issuance of such bonds shall provide for the creation of an annual sinking fund for the payment of such bonds in such amount as may be determined by the board of directors with the approval of the California bond certification commission; and the board of directors, except as herein otherwise provided, shall each year at the same time and in the same manner as other assessments in the district are levied and collected, levy and collect an assessment upon all of the lands in the district, in addition to all other assessments in this act required or permitted to be levied and collected, sufficient to provide the amount of such sinking fund payment for the then current year; *provided, further*, that the amount of such sinking fund assessment may be modified from time to time by the board of directors with the approval of the California bond certification commission. Whenever such sinking fund shall contain at least ten thousand dollars, the board of directors shall by notice published at least once a week for three successive weeks in some newspaper published in the county where the office of the district is located, and, in its discretion, in any other newspaper or newspapers, invite sealed proposals for the sale to the district of any of its outstanding funding or refunding bonds, for the payment of which such sinking fund was created. Said notice shall state the amount available for the redemption of such bonds and shall specify the time and place when such proposals will be opened. All such proposals shall be opened by the board of directors in open meeting at the time specified in said notice or at some subsequent time to which such meeting shall be adjourned. Any or all of such proposals may be rejected, in the discretion of the board of directors. If no bids are received, or those received are rejected, the board of directors may purchase any of said bonds at private sale at not exceeding the lowest price set forth in any such proposal or proposals. No proposal to sell bonds to the district at a price in excess of the par value thereof shall be accepted. All bonds so purchased from sinking fund moneys shall be forthwith canceled. The board of directors may invest any money in the sinking fund in bonds of the United States or of the State of California and shall hold the bonds so purchased as part

of the sinking fund until such time as the board of directors may determine that it is for the best interests of the district that such bonds or any of them be sold. The proceeds of sale of any bonds in which any part of said sinking fund shall be invested shall be deposited in the sinking fund.

The board of directors may, with the approval of the California bond certification commission, provide for the call and redemption of any of its funding or refunding bonds, in numerical order, or by lot, on any interest payment date prior to their fixed maturity, at not exceeding the par value thereof and accrued interest, in which event a statement to that effect shall be set forth in the face of the bond. Notice of such redemption shall be published once a week for three successive weeks in a newspaper of general circulation printed and published within the county in which the office of the board of directors is located, the first publication of which shall be at least thirty days prior to the date fixed for such redemption. After the date fixed for such redemption, if the district shall have provided funds available for the payment of the principal and interest of the bonds so called, interest on said bonds thereafter shall cease.

Notwithstanding anything to the contrary herein contained, the board of directors shall not be required to levy any such assessment for said sinking fund for said current year if the district shall have on hand surplus funds from other sources available for said sinking fund payment and shall have deposited the same in said sinking fund.

Any funding or refunding bonds herein provided for may be sold from time to time in the same manner as other bonds of the district, or, may be exchanged for such other bonds of the district upon such terms and conditions as may be approved by the California bond certification commission. Any such outstanding bonds so funded or refunded or exchanged shall be immediately canceled by the treasurer.

Notwithstanding anything to the contrary in this act contained, if in the judgment of the board of directors it is desirable that the principal or interest, or any part thereof, on any funding or refunding bonds of the district hereafter issued shall not be payable from assessments to be levied by the district, but shall be payable wholly or in part from the proceeds, or any thereof, of any designated or proposed contract or contracts of the district for the sale of water or electricity or otherwise, the board of directors may, with the approval of the California bond certification commission, so provide, and in such case the proceeds of any such contract or contracts, or any part thereof, shall by resolution of the board of directors be allocated to the payment of the principal or interest, or any part thereof, of any funding or refunding bonds of the district, and such allocation shall be irrevocable until all of such funding or refunding bonds and their appurtenant coupons shall have been fully paid and discharged.

The district may also, with the approval of said commission, designate any bank or trust company in this state to act as paying agent of the principal and interest of its funding or refunding bonds and to receive the payments under any contract or contracts for the sale of water or electricity and to apply such payments to the payment of the principal and interest of its bonds payable therefrom; and the district, with the consent of said commission, may from time to time change such paying agent."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Irrigation.

Senate Bill No. 773—An act to amend chapter 387, Statutes of 1931, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water;

providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser or corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts," approved June 13, 1913, as amended, by chapter 758, Statutes of 1929, by amending sections 2, 2b, 2d, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts and the election, appointment, qualifications, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; supervision of county boards of supervisors thereover, the assessment, fixing of rate and levy of taxes therefor; issuance, approval, and sale of bonds; receipt and disposition of moneys; annexation and exclusion of lands; the office of the district; the securing, use and disposition of water for irrigation purposes and the irrigation of lands therein; and obtaining, maintaining, use and construction of irrigation works.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 4 to 21, inclusive, of the title of the printed bill, the "enacting clause", and line 1 of said page 2 of the printed bill, and insert in lieu thereof the following: "exclusion of lands from such districts, approved June 13, 1913, as amended, by amending the title and sections 2, 2b, 2d, 4, 5, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts; the election, appointment, qualifications, compensation, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; the jurisdiction and supervision of county boards of supervisors thereover; fees of county officers; the assessment, fixing of rate, levy and collection of tax therefor; issuance, approval and sale of bonds; receipt and disposition of moneys; incurrence, payment and discharge of debts and obligations; the acquisition, transfer, disposition and sale of property and property rights thereover and the making of contracts, leases and agreements in respect thereto; the annexation and exclusion of land; the fees of the district; the securing, use, distribution and apportionment of water for irrigation purposes and the irrigation of lands therein; the obtaining, maintaining, operating, using and constructing of irrigation works; and providing a short title for this act.

The people of the State of California do enact as follows:

SECTION 1. The title of said act is hereby amended to read as follows:

An act providing for the organization of water districts by the board of supervisors of the different counties of the state upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; relating to the functions, purposes, powers, duties, organization, government and control of water districts, and the election, appointment, qualifications, tenure, compensation, functions, powers, duties and jurisdiction of the officers and employees thereof, and the jurisdiction and supervision of county boards of supervisors thereover and the fees

of county officers; providing for the acquisition, construction, maintenance and operation by said district of irrigation works, for the irrigation of the lands embraced therein and for the securing, use, distribution and apportionment thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; relating to the incurrence, payment and discharge of debts and obligations thereof, and the assessment, fixing of rate, levy and collection of taxes therefor; providing for the issuance and sale of bonds thereby; providing for the acquisition, use, transfer, disposition and sale of property and property rights thereof and the making of contracts, leases and agreements in respect thereto; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the execution of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California bond certification commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California bond certification commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California bond certification commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts and providing a short title for this act.

SEC. 2. Section 2 of said act is".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 28, of the printed bill, after the word "error", strike out the comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 23, of the printed bill, after the word "effected", strike out the period and add the following words: "*provided*, nothing in this act nor in any other act shall be construed as preventing or limiting the right of the holder of title or evidence of title of any tract of land within any water district formed under the provisions of this act, from petitioning for inclusion or prohibiting such lands from being included, within any irrigation district organized under the California irrigation district act, in accordance with and pursuant to the provisions of said California irrigation district act, but such inclusion shall not be made unless it shall appear and the board of directors of the irrigation district, within which such lands are about to be included, shall find that the water district within which such lands are situated shall have been in existence not less than five years immediately preceding the date of the filing of the petition for inclusion with the secretary of the board of directors of the irrigation district, and that at the date of the filing of such petition such water district shall not be delivering and is not prepared to deliver water from its irrigation works to such lands for irrigation purposes; *provided*, that no lands within such water district so included within the boundaries of an irrigation district shall be released from any of the burdens, obligations, or liabilities of such water district, because of such inclusion within an irrigation district, but shall, so far as such inclusion is concerned, continue to be in all respects a part of such water district."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 36, of the printed bill, after the word "state", strike out the word "of", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 31, of the printed bill, after the word "shall", add a comma.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 32, of the printed bill, after the word "secretary", strike out the comma.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, lines 47 and 48, of the printed bill, strike out the words "or is vacant by reason of the creation thereof since the last preceding election of officers".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 49, of the printed bill, after the word "appointment", strike out the dash.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, lines 50 to 52, of the printed bill, strike out the words "in case of vacancy in the office of secretary, and by the board of supervisors of the county in which the district was organized in all other cases."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 11, of the printed bill, after the figures and comma "1931," add the following: "said board shall appoint a tax collector and a treasurer or said board may consolidate said offices and fill such consolidated office and thereupon".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7 of the printed bill, strike out lines 16 to 45, both inclusive, and insert in lieu thereof the following:

"Sec. 7. Section 8 of said act is hereby amended to read as".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8 of the printed bill, strike out lines 28 to 31, both inclusive, and insert in lieu thereof the following: "equalization shall meet and hear any objections to the assessment as made. From the time of calling".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8 of the printed bill, strike out lines 47 to 49, both inclusive, and insert in lieu thereof the following: "time and place for said hearing and shall hear all objections which may be presented to it regarding the correctness of said assessment list,".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 9, line 20, of the printed bill, after the portion of the word "visors", strike out the period, and insert the following words: "and thereupon said board shall adjourn as a board of equalization and said hearing shall be deemed completed."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 10, line 7, of the printed bill, after the word "said", strike out the word "county".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 10 of the printed bill, strike out line 13, and insert in lieu thereof the following:

"Sec. 8. Section 9 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 10, line 16, of the printed bill, between the word "or", and the word "separate", add the word "each".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 10, lines 18 and 19, of the printed bill, after the words "within the", strike out the following words: "county for which he is the tax collector", and insert in lieu thereof the word "district".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 10 of the printed bill, strike out line 22, and insert in lieu thereof the following:

"SEC. 9. Section 10 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 11 of the printed bill, strike out line 9, and insert in lieu thereof the following:

"SEC. 10. Section 11 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 12 of the printed bill, strike out lines 39 to 45, both inclusive, and insert in lieu thereof the following: "chaser at a delinquent tax sale of the district, may be sold at public auction or private sale and conveyed by deed executed and acknowledged by the president and secretary of the district: *provided*, that authority to so convey must be conferred by resolution of the board entered on its minutes fixing the price, in the best interests of the district, at which such sale may be made.

SEC. 11. Section 13 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 13 of the printed bill, strike out line 31, and insert in lieu thereof the following:

"SEC. 12. Section 14 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 14, line 13, of the printed bill, after the word "received", add a comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 14, line 30, of the printed bill, strike out the words "his seal of office", and insert in lieu thereof the words "the seal of the district".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 15 of the printed bill, strike out line 8, and insert in lieu thereof the following:

"SEC. 13. Section 15 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 15 of the printed bill, strike out lines 36 and 37, and insert in lieu thereof the following:

"SEC. 14. Section 17 of said act is hereby amended to".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 16 of the printed bill, strike out line 13, and insert in lieu thereof the following:

"SEC. 15. Section 19 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 16 of the printed bill, strike out line 34, and insert in lieu thereof the following:

"SEC. 16. Section 20 of said act is".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 16, line 44, of the printed bill, strike out the words "a year", and insert in lieu thereof the words "two years".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 17 of the printed bill, strike out line 1 and insert in lieu thereof the following:

"SEC. 17. Section 21 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 17, line 13, of the printed bill, after the word and comma "fund," add the word "that".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 17, line 13, of the printed bill, strike out the word "for", and insert in lieu thereof the word "from".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 18 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SEC. 18. Section 23 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 18, lines 7 and 8, of the printed bill, after the word "unless", strike out the following words: "the place at which the same is held is at the principal place of business of", and insert in lieu thereof the followings words: "held within".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 19, line 6, of the printed bill, after the word "proposition", strike out the words "and shall forward said certificate".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 19, line 9, of the printed bill, strike out the word "thereof", and insert in lieu thereof the words "of said certificate".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 19, line 15, of the printed bill, strike out the word "or", and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 19, line 33, of the printed bill, strike out all of said line 33, and insert in lieu thereof the following:

"SEC. 19. Section 30 of said act is hereby amended to read as follows:

SEC. 30. No supervisor, recorder, auditor or clerk of any county shall receive any fee for any service required to be performed by him under the provisions of this act.

SEC. 20. Section 31 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 20, line 19, of the printed bill, after the word and comma "transfer," add the word "and".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 20 of the printed bill, strike out lines 25 and 26, and insert in lieu thereof the following:

"SEC. 21. Section 36 of said act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 20, line 36, of the printed bill, strike out the words "paid to", and insert in lieu thereof the words "applied by".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 20, lines 37 and 38, of the printed bill, strike out the words "and applied".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 20 of the printed bill, strike out lines 40 and 41, and insert in lieu thereof the following:

"SEC. 22. Section 39 of said act as hereby amended to read as follows:"

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 21 of the printed bill, strike out lines 14 and 15, and insert in lieu thereof the following:

"SEC. 23. Section 49 of said act is hereby amended to read as follows:"

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 21 of the printed bill, strike out lines 43 to 52, both inclusive, and on page 22 of the printed bill, strike out lines 1 to 25, both inclusive, and insert in lieu thereof the following:

"SEC. 24. A new section to be numbered section 60 is hereby added to said act to read as follows:

Sec. 60. This act shall be known and cited as the "California water district act"."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Irrigation.

Senate Bill No. 264—An act to add new sections to the Code of Civil Procedure, to be numbered 1043 and 1044, and to amend sections 763 and 963 of said code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, insert before "the", the following: "chapter seven of title fourteen of part two of".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, strike out the following: "and to amend sections 763 and 963 of said code", and insert in lieu thereof the following: "relating to the appointment and qualification of executors, administrators, guardians, assignees, receivers, depositaries and trustees".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, after the word "an", insert the following: "executor, administrator, guardian of an estate,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 21 to 26, inclusive, and on page 2 of the printed bill, strike out lines 1 to 52, inclusive, and on page 3 of the printed bill, strike out lines 1 to 47, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 597—An act to revise and consolidate the law relating to guardianship, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law herein revised and consolidated and herein specified; and to establish a division of the Probate Code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 4, after line 5, of the printed bill, insert the following:
"1433. No guardian shall be appointed of the person of a married minor."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 4, line 23, of the printed bill, after "to", insert the following: "the".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 23, of the printed bill, insert after "mortgage", the following:
"or deed of trust".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 25, of the printed bill, strike out "sufficient", and insert in lieu thereof the following: "persons or an authorized surety company as".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 26, of the printed bill, strike out "sureties", and insert in lieu thereof the following: "surety".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 29, of the printed bill, strike out the period and insert in lieu thereof the following: "or deed of trust."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 10, of the printed bill, insert after "or", the following: ", as to the guardianship of the person, until the ward".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 10, of the printed bill, strike out "setting", and insert in lieu thereof the following: "settling".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9, line 15, of the printed bill, strike out "trust companies", and insert in lieu thereof the following: "banks".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 10 of the printed bill, strike out lines 22 to 26, inclusive, and insert in lieu thereof the following: "1535. When the".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 10, line 48, of the printed bill, insert after "mortgages," the following: "deeds of trust".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 11, line 22, of the printed bill, strike out "appraisements", and insert in lieu thereof the following: "appraisalment".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 18 of the printed bill, strike out all of lines 16 and 17.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 19, line 3, of the printed bill, strike out "or approved by the court", and insert in lieu thereof a comma and the following: "or such funds may be deposited by the guardian thereof with any state or national bank in this state which has been designated by the superintendent of banks of this state as depository for the funds of other banks; *provided*, that no investment or deposit shall be made without the approval of the court with the exception of such deposits as shall be required for the safekeeping of the funds pending the approval of the court".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 20, line 10, of the printed bill, immediately after "1929," insert the following: "and 'An act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this state,' approved March 23, 1893,".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, after the word "unincorporated", insert the following: "religious".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 27, of the printed bill, after the word "for", insert the following: "religious".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 28, of the printed bill, after the word "hospital", insert the following: "or sanatorium".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 45, of the printed bill, insert after "devises", a comma and the following: "bequests".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 28, of the printed bill, after the figure "74", and before the period, insert the following: "of this code".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 11, line 23, of the printed bill, strike out "decendent", and insert in lieu thereof the following: "decedent".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 18, line 30, of the printed bill, after the word "state", and before the comma, insert the following: "subject to the provisions of section 26 of this code".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 22 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"421. The surviving partner of a decedent must not be appointed administrator of the estate if any person interested in the estate objects to his appointment."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 23, line 42, of the printed bill, after "intestate", insert the following: "or the public administrator".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 24, line 32, of the printed bill, insert after "time", the following: "without notice or".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 31 of the printed bill, strike out lines 43 to 48, inclusive, and insert in lieu thereof the following:

"570. When two or more executors or administrators have been appointed and one or more are absent from the state, or legally disqualified from serving, the act of the other or others shall be effectual for all purposes; if upon any hearing it shall appear that one or more of the executors or administrators were absent from the state or legally disqualified from serving, the court shall so find in its order or judgment and such finding shall be conclusive of the authority of those acting. When there".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 34, line 24, of the printed bill, strike out "trust companies", and insert in lieu thereof the following: "banks".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 35 of the printed bill, strike out lines 27 to 32, inclusive, and insert in lieu thereof the following: "must appoint one of the inheritance tax appraisers provided for by law; or, upon the request of the executor or administrator or of any person interested in the estate, may appoint three persons, one of whom must be an inheritance tax appraiser, in which case any two of them may act provided one of them be the inheritance tax appraiser."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 42, line 32, of the printed bill, strike out the word "immediately", and insert in lieu thereof the following: "promptly".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 49 of the printed bill, strike out lines 18 and 19.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 49, line 23, of the printed bill, after the word "legates", insert the following: ", except as provided in section 750 of this code,".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 49, line 37, of the printed bill, strike out "hereinbefore limited", and insert in lieu thereof the following: "provided in section 750 of this code".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 51, line 13, of the printed bill, after the word "sold", insert the following: "and title thereto passed".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 51, line 18, of the printed bill, strike out the period following the word "code", and insert in lieu thereof a comma and the following: "but the court or judge may order the notice to be given for a shorter period or dispensed with".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 51, line 22, of the printed bill, following the number "772.", strike out all of line 22, and also in line 23, strike out the following: "credit as hereinafter provided, and", and insert in lieu thereof the following: "Except as provided in sections 770 and 771 of this code, personal property may be sold, but only".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 51, line 34, of the printed bill, following the number "773.", insert the following: "Personal property may be sold for cash, or upon a credit."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 52, lines 4 and 5, of the printed bill, strike out the following: "posted in three of the most public places of the county in which the land lies, and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 52, lines 5 and 6, of the printed bill, strike out " , if there is one".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 52, line 6, of the printed bill, strike out "in the same county", and insert in lieu thereof the following: "in the county in which the real property or some part thereof is located, if there is one so published".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 52, lines 7 and 8, of the printed bill, strike out "successively next".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 52, line 9, of the printed bill, strike out "next".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 52, line 11, of the printed bill, strike out "whole estate", and insert in lieu thereof the following: "property to be sold".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 52, line 12, of the printed bill, strike out "court or judge", and insert in lieu thereof the following: "executor or administrator".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 52, lines 13 and 14, of the printed bill, strike out "in a newspaper and order that notices be posted.", and insert in lieu thereof the following: ", and in lieu thereof post a notice of the time and place of sale in three of the most public places of the county in which the land is to be sold for two weeks before the day of the sale, or in the case of a private sale, before the day on or after which the sale is to be made."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 52, line 27, of the printed bill, strike out "six months", and insert in lieu thereof the following: "one year".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 52, line 45, of the printed bill, following the word "sale", strike out the comma and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 52 of the printed bill, strike out all of lines 46 to 49, inclusive.

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 55, line 6, of the printed bill, strike out the word "that", and insert in lieu thereof the following: "which are due at the time of sale or which".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 55, line 12, of the printed bill, after the word "payments", insert the following: "then due and".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 55, line 16, of the printed bill, strike out the word "that", and insert in lieu thereof the following: "which are then due or which".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 59, strike out line 42, of the printed bill, and insert in lieu thereof the following: "lished for at least ten days before".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 63, line 50, of the printed bill, strike out the word "setting", and insert in lieu thereof the following: "settling".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 65, line 40, of the printed bill, strike out "May", and insert in lieu thereof the following: "may".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 71, line 49, of the printed bill, after the period in said line, insert the following: "Any person may appear and file a written statement setting forth his interest in the estate. No other pleadings are necessary and the allegations of each claimant shall be deemed to be denied by each of the other claimants to the extent that they conflict with any claim of the latter."

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 72 of the printed bill, strike out all of lines 8 to 51, inclusive, all of page 73 of the printed bill, and all of lines 1 to 21, inclusive, on page 74 of the printed bill, and insert in lieu thereof the following:

"CHAPTER XVIII--PARTITION BEFORE DISTRIBUTION.

1100. When two or more heirs, devisees or legatees are entitled to the distribution of undivided interests in any real or personal property of the decedent and they have not agreed among themselves, before distribution, to a partition, allotment or other division thereof, any one or more of them, or the executor or administrator, at the request of any one or more of them, may petition the court to make such partition, allotment or division of the property as will be equitable and will avoid the distribution of undivided interests.

1101. Such petition may be filed with the clerk at any time after the time to file or present claims has expired, and before the distribution of the property to be affected has been ordered. It shall describe the property and give the names of the persons having or claiming the undivided interests and shall state what those interests are, so far as known to the petitioner. Thereupon a citation shall be issued by the clerk directed to the persons, other than the petitioner, who are entitled to distribution of the undivided interests, and to the executor or administrator, directing them to answer the petition within thirty days after service of the citation. The citation shall be served personally or by publication in the same manner as a summons in a civil action. If there is unreasonable delay in serving the citation, the court may dismiss the proceeding.

1102. When all the persons in interest have appeared or are in default, the clerk shall set the matter for hearing by the court. The persons in interest who have filed written appearances shall be considered the parties to the proceeding, and each shall be entitled to five days' notice of the hearing. No one shall be considered as a plaintiff or as a defendant.

1103. The court shall proceed to take evidence and to partition, allot and divide the property so that each party shall receive property of a value proportionate to his interest in the whole, and for that purpose it may direct the executor or administrator to sell any property which can not be partitioned without great prejudice to the owners and which can not conveniently be allotted to any one party. The sale shall be conducted and confirmed in the same manner as other probate sales. Any two or more parties may agree to accept undivided interests.

1104. The court, in its discretion, may appoint one or three referees to partition property capable of being partitioned, if requested to do so by any party in interest. The number of referees appointed must conform to the request of at least one of the parties. The referees shall have the powers and perform the duties of referees in civil actions for partition, and the court shall have the same powers with respect to their report as in such actions.

1105. The expenses of such partition shall be equitably apportioned by the court among the parties, but each party must pay his own attorney's fees. The amount charged to each party shall constitute a lien on the property allotted to him.

1106. The allotment made by the court shall control upon proceedings for distribution, unless modified for good cause upon reasonable notice, and the proceedings leading to such allotment may be reviewed upon appeal from the decree of distribution."

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 74, line 44, of the printed bill, strike out "or", last appearing on said line, and insert in lieu thereof the following: "for".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 77, line 24, of the printed bill, strike out "trust companies", and insert in lieu thereof the following: "banks".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 77, line 26, of the printed bill, strike out "trust company", and insert in lieu thereof the following: "bank".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 77, line 27, of the printed bill, strike out "trust company", and insert in lieu thereof the following: "bank".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 77, in lines 28 and 29, of the printed bill, strike out "trust company", and insert in lieu thereof the following: "bank".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 79, line 1, of the printed bill, strike out "delier", and insert in lieu thereof the following: "deliver".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 79 of the printed bill, strike out lines 10 to 52, inclusive.

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 80 of the printed bill, strike out lines 1 to 5, inclusive.

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 80, line 7, of the printed bill, strike out "II", and insert in lieu thereof the following: "I".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 80, line 42, of the printed bill, strike out "III", and insert in lieu thereof the following: "II".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 87, line 41, of the printed bill, insert the following:
"1433. No guardian shall be appointed of the person of a married minor."

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 88, line 7, of the printed bill, after "to", insert the following: "the".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 88, line 18, of the printed bill, strike out "warant", and insert in lieu thereof the following: "warrant".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 90, line 7, of the printed bill, insert after "mortgage", the following:
"or deed of trust".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 90, line 9, of the printed bill, strike out "sufficient", and insert in lieu thereof the following: "persons or an authorized surety company as".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 90, line 10, of the printed bill, strike out "sureties", and insert in lieu thereof the following: "surety".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 90, line 13, of the printed bill, strike out the period and insert in lieu thereof the following: "or deed of trust."

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 90, line 48, of the printed bill, insert after "or", the following: ", as to the guardianship of the person, until the ward".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 91, line 50, of the printed bill, strike out "setting", and insert in lieu thereof the following: "settling".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 93, line 2, of the printed bill, strike out "trust companies", and insert in lieu thereof the following: "banks".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 94, of the printed bill, strike out lines 9 to 13, inclusive, and insert in lieu thereof the following:
"1535. When the".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 94, line 35, of the printed bill, insert after "mortgages," the following:
"deeds of trust,".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 95, line 11, of the printed bill, strike out "appraisements", and insert in lieu thereof the following: "appraisement".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 102 of the printed bill, strike out all of lines 11 and 12.

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 102, line 50, of the printed bill, strike out "or approved by the court", and insert in lieu thereof a comma and the following: "or such funds may be deposited by the guardian thereof with any state or national bank in this state which has been designated by the superintendent of banks of this state as depository for the funds of other banks; *provided*, that no investment or deposit shall be made without the approval of the court with the exception of such deposits as shall be required for the safekeeping of the funds pending the approval of the court."

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 104, line 5, of the printed bill, strike out "to 1810c," and insert in lieu thereof the following: "to 1722, inclusive, and sections 1724 to 1810c,".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 104, line 9, of the printed bill, immediately after "1929," insert the following: "and "An act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this state," approved March 23, 1893,".

Amendment adopted.

Bill read second time, ordered to print, and referred to Committee on Judiciary.

Senate Bill No. 209—An act to amend sections 204, 204a, 204b, and 204d of the Code of Civil Procedure, relating to the selecting of jurors;

and to repeal section 204c of the Code of Civil Procedure, relating to the secretary of judges as jury commissioner.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "and 204d", and insert in lieu thereof the following: "204c, 204d, and 204e".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 2 and 3 of the title of the printed bill, strike out the following: "relating to the selecting of jurors; and to repeal section 204e of the Code of Civil Procedure."

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, strike out the following: "the secretary of judges as".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 4 of the title of the printed bill, strike out the following: "commissioner", and insert in lieu thereof the following: "commissioners and a jury commissioner".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, lines 25 and 26, of the printed bill, strike out the following: "a population of seventy-five thousand inhabitants or over, such selection", and insert in lieu thereof the following: "three or more superior judges, such selections and listings".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 1 to 3, of the printed bill, strike out the following: "a majority of the judges of the superior court pursuant to the written rules or instructions adopted by the judicial council", and insert in lieu thereof the following: "the 'jury commission'".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 12, of the printed bill, strike out the following: "judge", and insert in lieu thereof the following: "'jury commission'".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, lines 13 and 14, of the printed bill, strike out the following: ", pursuant to written rules and instructions adopted by the judicial council."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, strike out lines 20 to 34, inclusive, and insert in lieu thereof the following:

"204a. A 'jury commission' shall be composed of three members who shall be as follows:

(a) In cities and cities and counties having a municipal court: the secretary of the judges of the superior court, the secretary of the judges of the municipal court, and one person appointed by the judicial council.

(b) In counties and cities and counties where there is no municipal court: the secretary of the judges of the superior court and two persons appointed by the judicial council.

If there should be no secretary of the judges of the municipal court in any city or city and county, the judicial council shall appoint the requisite number of persons to bring the total membership of the jury commission to three.

Persons appointed by the judicial council to serve as jury commissioners shall serve at the pleasure of the judicial council.

No action shall be valid as an action of said commission unless two members of said commission concur in the same."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 39, of the printed bill, strike out the following: "commissioner", and insert in lieu thereof the following: "commission".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, between lines 46 and 47, of the printed bill, insert the following:

"Sec. 4. Section 204c of the Code of Civil Procedure is hereby amended to read as follows:

204c. It shall be the duty of the jury commission diligently to inquire and inform itself in respect to the qualifications of persons resident in its county or city and county who may be liable under the provisions of the laws of this state to be summoned for jury duty. It may require any person to answer, under oath to be administered by it, all such questions as it may address to such person, touching his name, age, residence, occupation and qualifications as a juror, and also all questions as to similar matters concerning other persons of whose qualifications for jury duty he has knowledge. The commission shall have power to administer oaths. It shall be allowed its actual traveling expenses incurred in the performance of its duties while visiting the respective townships in the county, such traveling expenses to be audited, allowed and paid out of the general fund of the county."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 47, of the printed bill, strike out the following: "4", and insert in lieu thereof the following: "5".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, lines 49 to 51, of the printed bill, strike out the following: "Pursuant to the rules and instructions adopted by the judicial council, the jury commissioner", and insert in lieu thereof the following: "The jury commission".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 2, line 52, of the printed bill, strike out the following: "him", and insert in lieu thereof the following: "it".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, lines 1 and 2, of the printed bill, strike out the following: "examine the jury list so returned, and from said list a majority of the said judges may".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 2, of the printed bill, strike out the comma "(,)", and insert in lieu thereof the following: "from the list persons".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 4, of the printed bill, strike out the following: "superior court", and insert in lieu thereof the following: "courts of record".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, lines 5 to 10, of the printed bill, strike out the following: ", such persons as, in their opinion, should be selected for such jury duty; *provided, however,* that the persons so selected shall, in the opinion of the judges selecting the same, be persons suitable and competent to serve as jurors, as set forth and required in this code".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 3, line 16, of the printed bill, strike out the following: "5", and insert in lieu thereof the following: "6".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, line 17, of the printed bill, strike out the following: "repealed.", and insert in lieu thereof the following: "amended to read as follows:

204e. The salary of members of the jury commission in counties or cities and counties having municipal courts shall be three hundred dollars per month, not exceeding, however, one thousand five hundred dollars in any one fiscal year.

The salary of members of the jury commission in counties or cities and counties not having municipal courts shall be two hundred dollars per month, not exceeding, however, one thousand dollars in any one fiscal year.

The salaries shall be audited, allowed and paid out of the general fund of the county or city and county.

In instances where the secretaries of superior courts or of municipal courts act as members of the jury commission they shall receive the above mentioned salaries in addition to their regular salaries."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 568—An act to amend section 539 of the Civil Code, relating to the recovery of damages for the breaking or injuring of subaqueous telegraph, telephone and electric power cables or gas pipe lines.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 561—An act to amend sections 224, 224m and 226 of the Civil Code, relating to adoption.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "and", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, insert after "226", the following: "and 227".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 20, of the printed bill, place quotation marks before and after "juvenile court law,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 22 to 27, and insert in lieu thereof the following: "amending the same."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 18, of the printed bill, strike out "secretary", and insert in lieu thereof the following: "secretaries".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 23, of the printed bill, strike out "or court".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 32, of the printed bill, strike out "and two subscribing witnesses".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 38, of the printed bill, strike out "whatever until", and insert in lieu thereof the following: "whatsoever until a certified copy is".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, insert between lines 7 and 8, the following paragraph:

"Such consent, when reciting that the person making it is entitled to the sole custody of the minor child, shall, when duly acknowledged before such agent, be prima facie evidence of the right of the person making it to the sole custody of the child and such person's sole right to consent."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3 of the printed bill, insert between lines 19 and 23, the following paragraph:

"If the department of social welfare refuses to accept the consent of the natural parent, for adoption, on the ground that the best interests of the child will not be promoted by the proposed adoption, said parent may appeal from said refusal to the superior court of the county in which the petition is filed, in which event the clerk of the court shall immediately notify the department of social welfare which shall within ten days file a report of its findings as to refusal to accept consent. After the filing of said findings, the court may allow the signing of consent in open court."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 50, of the printed bill, strike out "and two subscribing witnesses".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, insert after line 4, the following:

"SEC. 4. Section 227 of the Civil Code is hereby amended to read as follows: 227. The person or persons desiring to adopt a child, and the child proposed to be adopted must appear before the court. The court must examine all persons appearing before it pursuant to this section, each separately, and if satisfied that the interests of the child will be promoted by the adoption, the party or parties adopting shall execute or acknowledge an agreement in writing that the child shall be treated in all respects as the lawful child of the party or parties, and the court shall thereupon make an order awarding the custody of the child to the adopting parent or parents. The petition, relinquishment, agreement and order must be filed in the office of the county clerk and shall not be open to inspection by any other than the parties to the action and their attorneys and the state department of social welfare except upon the written authority of the judge of the superior court."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 560—An act to amend section 15 of the Juvenile Court Law, relating to persons free from parental control.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title, and insert in lieu thereof the following:

"An act to amend sections 15 and 15a of the "Juvenile court law," relating to persons free from parental control and citations to be served in proceedings under the act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SEC. 1. Section 15 of the "Juvenile court law" is".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 2, of the printed bill, strike out "a thorough".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, strike out "a proper notification to", and insert in lieu thereof the following: "service of citations as prescribed in this act upon".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, lines 10 and 11, of the printed bill, strike out "adjudged guilty of adultery and for this cause divorced", and insert in lieu thereof the following: "divorced on the ground of adultery".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 11 and 12, of the printed bill, strike out "due notice to", and insert in lieu thereof the following: "service of citations as prescribed in this act upon".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, insert, after line 22, of the printed bill, the following:

"SEC. 2. Section 15a of said act is hereby amended to read as follows:

Sec. 15a. Upon the filing of a petition, as provided in section 3 of this act, alleging that there is within the county or residing therein a person who should be declared free from the custody and control of his parents, as defined in this act, or that there have occurred within the county acts constituting abandonment, neglect, cruelty or habitual intemperance, on the part of the parent or parents of such person, and praying that the superior court deal with said person as provided in this act, a citation shall issue, requiring the person or persons having the custody or control of said person or the person or persons with whom said person may be, to appear with said person at a time and place stated in the citation. The juvenile court, either of the county in which the person resides, or of the county in which he is found, or of the county in which the acts constituting the abandonment, neglect, cruelty or habitual intemperance occurred, shall have jurisdiction to hear and determine such proceeding, at the election of the petitioner. Service of such citation must be made at least ten days before the time stated therein for such appearance. The parent or parents of said person, if residing within the State of California, and if their place of residence be known to the petitioner, or, if there be no parent so residing, or if the place of residence of such parent or parents be not known to the petitioner, then some relative of said person, if any there be residing within the state, and if his residence and relationship to said person be known to the petitioner, shall be notified of the proceedings by service of citation requiring him or them to appear at the time and place stated in such citation. In all cases where the parents are married and one parent has relinquished his or her child for the purpose of adoption or has signed a consent for adoption as provided in section 224 of the Civil Code, the said child may be declared free from the custody and control of the other parent and no notice as herein provided shall be given said parent who has signed said relinquishment or consent. Service of such citations must be made at least ten days before the time stated therein for such appearance."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 567—An act to amend section 538 of the Civil Code, relating to malicious injury to telegraph, telephone, electric power and gas property.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the following: "mentioned in preceding section".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out the words "one hundred", and insert in lieu thereof "three".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 302—An act to add a new section to the Penal Code to be numbered 496c, relating to the theft of the contents of any private and unpublished paper, book or record containing information relating to the title of real property.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, strike out the word "text", and insert in lieu thereof the word "test".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 169—An act to amend section 78 of the Political Code, relating to Senatorial and Assembly districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, beginning with line 6, of the printed bill, strike out all of the lines to and including line 11, and insert in lieu thereof the following:

"SENATORIAL DISTRICTS.

1. The counties of Modoc, Lassen and Plumas shall constitute the first senatorial district.
2. The counties of Del Norte and Siskiyou shall constitute the second senatorial district.
3. The county of Humboldt shall constitute the third senatorial district.
4. The counties of Mendocino and Lake shall constitute the fourth senatorial district.
5. The counties of Trinity and Shasta shall constitute the fifth senatorial district.
6. The county of Butte shall constitute the sixth senatorial district.
7. The counties of Sierra, Nevada and Placer shall constitute the seventh senatorial district.
8. The counties of Tehama, Glenn and Colusa shall constitute the eighth senatorial district.
9. The counties of El Dorado, Amador and Alpine shall constitute the ninth senatorial district.
10. The counties of Yuba and Sutter shall constitute the tenth senatorial district.
11. The counties of Napa and Yolo shall constitute the eleventh senatorial district.
12. The county of Sonoma shall constitute the twelfth senatorial district.
13. The county of Marin shall constitute the thirteenth senatorial district.
14. The city and county of San Francisco shall constitute the fourteenth senatorial district.

15. The county of Solano shall constitute the fifteenth senatorial district.
16. The county of Alameda shall constitute the sixteenth senatorial district.
17. The county of Contra Costa shall constitute the seventeenth senatorial district.
18. The county of Santa Clara shall constitute the eighteenth senatorial district.
19. The county of Sacramento shall constitute the nineteenth senatorial district.
20. The county of San Joaquin shall constitute the twentieth senatorial district.
21. The county of San Mateo shall constitute the twenty-first senatorial district.
22. The county of Stanislaus shall constitute the twenty-second senatorial district.
23. The county of Santa Cruz shall constitute the twenty-third senatorial district.
24. The counties of Merced and Madera shall constitute the twenty-fourth senatorial district.
25. The counties of Monterey and San Benito shall constitute the twenty-fifth senatorial district.
26. The counties of Tuolumne, Mariposa and Calaveras shall constitute the twenty-sixth senatorial district.
27. The county of Kings shall constitute the twenty-seventh senatorial district.
28. The counties of Mono and Inyo shall constitute the twenty-eighth senatorial district.
29. The county of San Luis Obispo shall constitute the twenty-ninth senatorial district.
30. The county of Fresno shall constitute the thirtieth senatorial district.
31. The county of Santa Barbara shall constitute the thirty-first senatorial district.
32. The county of Tulare shall constitute the thirty-second senatorial district.
33. The county of Ventura shall constitute the thirty-third senatorial district.
34. The county of Kern shall constitute the thirty-fourth senatorial district.
35. The county of Orange shall constitute the thirty-fifth senatorial district.
36. The county of San Bernardino shall constitute the thirty-sixth senatorial district.
37. The county of Riverside shall constitute the thirty-seventh senatorial district.
38. The county of Los Angeles shall constitute the thirty-eighth senatorial district.
39. The county of Imperial shall constitute the thirty-ninth senatorial district.
40. The county of San Diego shall constitute the fortieth senatorial district.

ASSEMBLY DISTRICTS.

1. The counties of Del Norte, Humboldt and Mendocino shall constitute the first assembly district.
2. The counties of Siskiyou, Modoc, Lassen, Shasta, Trinity and Plumas shall constitute the second assembly district.
3. The counties of Tehama, Glenn, Colusa and Butte shall constitute the third assembly district.
4. The counties of Sierra, Nevada, Yolo, Yuba and Sutter shall constitute the fourth assembly district.
5. The counties of Lake, Napa and Solano shall constitute the fifth assembly district.
6. The counties of Placer, El Dorado, Amador, Alpine, Mono, Calaveras, Tuolumne, Mariposa and Inyo shall constitute the sixth assembly district.
7. The counties of Sonoma and Marin shall constitute the seventh assembly district.
8. All that portion of the county of Sacramento, included within the city of Sacramento as of January 1, 1927, lying north of the center of "K" street and east of the center of Thirty-first street, and south of the center of "Y" street and east of the center of Franklin boulevard, and all that portion of said Sacramento county included within the boundaries of "American township," "Brighton township," "Center township," and "Granite township," as said townships existed on the first day of January, 1927, shall constitute the eighth assembly district.
9. All that portion of the county of Sacramento not included in the eighth assembly district, as fixed and defined by this section, shall constitute the ninth assembly district.
10. The county of Contra Costa shall constitute the tenth assembly district.
11. All that portion of the county of San Joaquin comprising the city of Stockton as of January 1, 1927, shall constitute the eleventh assembly district.
12. All that portion of the county of San Joaquin not included in the eleventh assembly district, as fixed and defined by this section, shall constitute the twelfth assembly district.
13. All that portion of the county of Alameda lying southerly and easterly of a line described as follows:
Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county; thence easterly and northerly along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships; thence easterly, northeasterly and easterly along the boundary line between Eden and Brooklyn townships to the southwestwesterly boundary line of the town of San Leandro; thence in a general northerly direction along said boundary line to the center of East Fourteenth street; thence northwesterly following along the center line of East Fourteenth street to the center line of Sixty-eighth avenue; thence northeasterly along the center line of Sixty-eighth avenue to the center line of Flora street; thence northwesterly along the center line of

Flora street to the center line of Sixty-eighth avenue; thence northeasterly along the center line of Sixty-eighth avenue to the center line of Foothill boulevard; thence easterly along the center line of Foothill boulevard to the center line of Sixty-ninth avenue; thence northerly and northeasterly along the center line of Sixty-ninth avenue to the line known as the Brothers Line, being the dividing line between the A. M. Peralta and Ygnacio Peralta portion of the Rancho San Antonio, thence northeasterly along said Brothers Line to the line between Eden and Brooklyn townships on the northeasterly boundary line of the city of Oakland; thence following the northeast boundary line of the city of Oakland in a northwesterly direction, to its intersection with the northeasterly boundary line of the county of Alameda, shall constitute the thirteenth assembly district.

14. All of that portion of the county of Alameda described as follows:

Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county; thence easterly and northerly along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships; thence easterly, northeasterly and easterly along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence northerly and easterly along said boundary line to the center of East Fourteenth street; thence northwesterly along the center line of East Fourteenth street to its intersection with the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue to an intersection with the center line of East Twentieth street; thence northwesterly along the center line of East Twentieth street to the intersection with the center line of Park boulevard; thence easterly along the center line of Park boulevard to the intersection with the center line of Newton avenue; thence northwesterly along the center line of Newton avenue and its direct production northerly, to the intersection with the center line of Brooklyn avenue; thence northwesterly along the center line of Brooklyn avenue and its direct extension to the intersection with a line dividing Brooklyn and Oakland townships, said point being in Lake Merritt; thence southwesterly along said township line to its intersection with the northerly boundary line of Alameda township; thence westerly following along the said northerly boundary line of Alameda township to its intersection with the westerly boundary line of Alameda county; thence southeasterly along said county boundary line to the point of beginning, shall constitute the fourteenth assembly district.

15. All of that portion of the county of Alameda described as follows:

Beginning at a point where the center line of Thirteenth avenue is intersected by the center line of East Fourteenth street, in the city of Oakland; thence northeasterly along the center line of Thirteenth avenue to the intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard to the intersection with the direct production southeasterly of the southerly boundary line of the city of Piedmont; thence northwesterly along said production to the southeast corner of the boundary line of the city of Piedmont; thence following the southeasterly and northeasterly boundary lines of the city of Piedmont to the line dividing Oakland and Brooklyn townships; thence northeasterly along said dividing line between Oakland and Brooklyn townships and along the center line of Thorn road to its intersection with the northeasterly boundary line of the city of Oakland; thence in a general southeasterly direction, following said boundary line of the city of Oakland to a point where the same would be intersected by the dividing line between the A. M. Peralta and Ygnacio Peralta portion of the Rancho San Antonio, also known as the Brothers Line; thence southwesterly along said Rancho and Brothers Line to the center line of Sixty-ninth avenue; thence continuing in a southwesterly and southerly direction along the center line of Sixty-ninth avenue to the center line of Foothill boulevard; thence westerly along the center line of Foothill boulevard to the center line of Sixty-eighth avenue; thence southwesterly along the center line of Sixty-eighth avenue to the center line of Flora street; thence southeasterly along the center line of Flora street to the center line of Sixty-eighth avenue; thence southwesterly along the center line of Sixty-eighth avenue to the center line of East Fourteenth street; thence northwesterly along the center line of East Fourteenth street to the center line of Thirteenth avenue, the point of beginning, shall constitute the fifteenth assembly district.

16. All that portion of the county of Alameda described as follows:

Beginning at a point where the center line of Adeline street is intersected by the center line of Twenty-first street, in the city of Oakland; thence easterly along the center line of Twenty-first street to the center line of Market street; thence southerly along the center line of Market street to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street to the center line of Telegraph avenue; thence northerly along the center line of Telegraph avenue to the center line of Fifty-fifth street; thence southwesterly along the center line of Fifty-fifth street to the center line of Adeline street; thence northeasterly along the center line of Adeline street to the center line of Fifty-fifth street; thence southwesterly along the center line of Fifty-fifth street to the center line of San Pablo avenue; thence northerly along the center line of San Pablo avenue to the center line of Fifty-fifth street; thence westerly along the center line of Fifty-fifth street to its intersection with the easterly boundary line of the town of Emeryville; thence northwesterly and following the eastern boundary line of the town of Emeryville to the southerly

boundary line of the city of Berkeley; thence westerly along the southerly boundary line of the city of Berkeley and the direct extension of the same, to its intersection with the westerly boundary line of Alameda county; thence southerly along the westerly boundary line of Alameda county to its intersection with the line dividing Oakland and Alameda townships; thence easterly along said line dividing Oakland and Alameda townships to a point where the direct extension of the center line of Adeline street would intersect the same; thence northerly along said direct extension and the center line of Adeline street to the center line of Twenty-first street and the point of beginning, shall constitute the sixteenth assembly district.

17. All that portion of Alameda County described as follows:

Beginning at a point where the east boundary line of the city of Berkeley intersects the northern boundary line of the county of Alameda; thence northwesterly, southwesterly and southeasterly along the northern and western boundary line of the county of Alameda to a point where said boundary line would intersect the direct extension westerly of the center line of Dwight way; thence easterly along said extension and along the center line of Dwight way and its direct extension easterly, to the eastern boundary line of the city of Berkeley; thence northerly along the easterly boundary line of the city of Berkeley to the northern boundary line of the county of Alameda, and the point of beginning, shall constitute the seventeenth assembly district.

18. All that portion of Alameda County described as follows:

Beginning at a point where the easterly boundary line of the city of Berkeley intersects the northern boundary line of the county of Alameda; thence in a general southeasterly direction along the northeasterly boundary line of Alameda county to its intersection with the line dividing Oakland and Brooklyn townships; thence southwesterly along the center line of Thorn road and the line dividing Oakland and Brooklyn townships to its intersection with the northeasterly boundary line of the city of Piedmont; thence northwesterly and southwesterly along the northerly boundary line of the city of Piedmont to the northern boundary of the city of Oakland as it existed prior to December 8, 1909; thence northwesterly along said northern boundary line to the center line of Clifton street, thence northwesterly along the center line of Clifton street to the center line of Broadway; thence southwesterly along the center line of Broadway to its intersection with the center line of College avenue, thence northerly along the center line of College avenue to its intersection with the center line of Clifton street; thence northwesterly along the center line of Clifton street to its intersection with the center line of Claremont avenue; thence southwesterly along the center line of Claremont avenue to its intersection with the center line of Fifty-sixth street; thence northwesterly along the center line of Fifty-sixth street to its intersection with the center line of Telegraph avenue; thence southerly along the center line of Telegraph avenue to its intersection with the center line of Fifty-fifth street; thence westerly along the center line of Fifty-fifth street to its intersection with the center line of Adeline street; thence northeasterly along the center line of Adeline street to its intersection with the center line of Fifty-fifth street; thence westerly along the center line of Fifty-fifth street to its intersection with the center line of San Pablo avenue; thence northerly along the center line of San Pablo avenue to the intersection with the center line of Fifty-fifth street; thence westerly along the center line of Fifty-fifth street to the easterly boundary line of the town of Emeryville; thence northerly along the easterly boundary line of the town of Emeryville to the northerly boundary line of the town of Emeryville and the southerly boundary line of the city of Berkeley; thence westerly along said dividing line between Berkeley and Emeryville and its direct extension westerly to the west boundary line of the county of Alameda; thence northwesterly along the western boundary line of the county of Alameda to a point where said boundary line would intersect the direct extension westerly of the center line of Dwight way; thence easterly along said extension and along the center line of Dwight way and its direct extension easterly to the easterly boundary line of the city of Berkeley; thence northerly along the easterly boundary line of the city of Berkeley to the northern boundary line of the county of Alameda and the point of beginning, shall constitute the eighteenth assembly district.

19. All that portion of the county of Alameda not included in the thirteenth, fourteenth, fifteenth, sixteenth, seventeenth and eighteenth assembly districts as fixed and defined by this section, shall constitute the nineteenth assembly district.

20. All that portion of the city and county of San Francisco described as follows:

Commencing at a point at the intersection of the center line of Market street with the center line of Eleventh street; thence along the center line of the following named streets, to wit: Market street to Powell, Powell to the shoreline of the San Francisco Bay; thence southerly along the shoreline of said bay to its intersection with the center line of Army street; thence along the center line of Army street, Potrero avenue, Division street and Eleventh street to the point of beginning, shall constitute the twentieth assembly district.

21. All that portion of the city and county of San Francisco described as follows:

Commencing at a point at the intersection of Twenty-ninth street and Mission streets; thence along the center line of the following named streets, to wit:

Mission to Army street, Army to Bryant, Bryant to Precita avenue, Precita avenue to Potrero, Potrero to Army, Army to San Francisco bay; thence southerly

along the shoreline of the San Francisco bay to the boundary line dividing the city and county of San Francisco and the county of San Mateo; thence along the said boundary line westerly to the center line of Mission street; thence along Mission street to the place of beginning, shall constitute the twenty-first assembly district.

22. All that portion of the city and county of San Francisco bounded as follows:

Commencing at a point at the intersection of the center line of Market street with the center line of Eleventh street; thence along the center line of the following named streets, to wit: Market to Laguna, Laguna to the San Francisco bay; thence easterly along the shoreline of the San Francisco bay to the intersection with the center line of Powell street; thence along the center line of Powell street to Market street, to Eleventh street, the place of beginning, shall constitute the twenty-second assembly district.

23. All that portion of the city and county of San Francisco bounded as follows:

Commencing at a point at the intersection of Mission street and Twenty-ninth street, continuing along the center lines of the following named streets, to wit: Mission street to Army street, to Bryant street to Precita avenue, to Potrero avenue, to Division street, to Eleventh street, to Market street, to Laguna, Laguna to McAllister, McAllister street to Fillmore, Fillmore street to Duboce avenue, Duboce avenue to Church street, Church street to Eighteenth street, Eighteenth street to Dolores, Dolores street to Twenty-ninth and Mission street, the place of beginning, shall constitute the twenty-third assembly district.

24. All that portion of the city and county of San Francisco, bounded as follows:

Commencing at a point at the intersection of Twenty-ninth and Mission streets; thence along the center line of the following named streets, to wit: Mission street to the boundary line dividing the city and county of San Francisco and the county of San Mateo; thence along said boundary line westerly, to the waters of the Pacific ocean; thence along the shoreline of said ocean northerly to Sloat boulevard; thence along the center lines of the following named streets, to wit:

Sloat boulevard to Portola drive, Portola drive to Burnett avenue, Burnett avenue to Dixie alley, Dixie alley to Grand View avenue, Grand View avenue to Twenty-second street, Twenty-second street to Dolores street, Dolores street to Twenty-ninth street, Twenty-ninth street to Mission street, the place of beginning, shall constitute the twenty-fourth assembly district.

25. All that portion of the city and county of San Francisco, bounded as follows:

Commencing at a point with the intersection of Fulton street and Masonic avenue; thence along the center line of the following named streets, to wit: Masonic avenue to Oak street, Oak street to Central avenue, Central avenue to Buena Vista avenue, Buena Vista avenue to Java street, Java street to Masonic avenue, Masonic avenue to Piedmont street, Piedmont street to Ashbury street, Ashbury to Clayton street, Clayton street to Clarendon avenue, Clarendon avenue to Burnett avenue, Burnett avenue to Portola drive, Portola drive to Sloat boulevard, Sloat boulevard to the waters of the Pacific ocean; thence along the shoreline of said ocean northerly to Fulton street; Fulton street to Masonic avenue, the place of beginning, shall constitute the twenty-fifth assembly district.

26. All that portion of the city and county of San Francisco, bounded as follows:

Commencing at a point at the intersection of Fulton street and Parker avenue; thence along the center line of the following named streets, to wit: Parker avenue to Maple street, Maple street to the southwesterly line of the Presidio reservation; thence westerly along the southerly boundary of the Presidio reservation to Lobos creek; thence along the center line of Lobos creek to the waters of the Pacific ocean; thence westerly and southerly along said shoreline to Fulton street, Fulton street to Parker avenue, the point of beginning, together with the islands known as the Farallon islands, shall constitute the twenty-sixth assembly district.

27. All that portion of the city and county of San Francisco, bounded as follows:

Commencing at a point at the intersection of Pine street and Laguna street; thence along the center line of the following named streets, to wit: Laguna street to the bay of San Francisco; thence along the shoreline of said bay to the waters of the Pacific ocean; thence along the shoreline of said ocean to Lobos creek; thence along the line of said Lobos creek to the southerly boundary line of the Presidio reservation; thence along said boundary line to Maple street, Maple street to California street, California street to Presidio avenue, Presidio avenue to Pine street, Pine street to Laguna street, the point of beginning, shall constitute the twenty-seventh assembly district.

28. All that portion of the city and county of San Francisco, bounded as follows:

Commencing at a point at the intersection of Pine street and Laguna street; thence along the center line of the following named streets, to wit: Laguna street to McAllister street, McAllister street to Fillmore street, Fillmore street to Duboce avenue, Duboce avenue to Church street, Church street to Eighteenth street, Eighteenth street to Dolores street, Dolores street to Twenty-second, Twenty-second to Grand View avenue, Grand View avenue to Dixie alley, Dixie alley to Burnett avenue, Burnett avenue to Clarendon avenue, Clarendon avenue to Clayton street, Clayton street to Ashbury, Ashbury to Piedmont, Piedmont to Masonic avenue, Masonic avenue to Java street, Java street to Buena Vista avenue, Buena Vista avenue to Central avenue, Central avenue to Oak street, Oak street to Masonic avenue, Masonic avenue to Fulton street, Fulton street to Parker avenue, Parker avenue to California street,

California street to Presidio avenue, Presidio avenue to Pine street, Pine street to Laguna street, the place of beginning, shall constitute the twenty-eighth assembly district.

29. The county of San Mateo shall constitute the twenty-ninth assembly district.

30. All that portion of the county of Santa Clara embraced within the following precincts, as constituted at the general election of 1930, to wit: Agnew, Alviso, Barron, Bay View, Berryessa, Burbank, Calderon, Cupertino, Encina, Farwell, Fremont numbers one and two, Fruitvale, Jefferson numbers one and two, Linda Vista numbers one and two, Los Altos numbers one to three inclusive, Midway, Milpitas numbers one and two, Miramonte, Mt. Hamilton numbers one and two, Mountain View numbers one to five inclusive, Orchard, Pala, Palo Alto numbers one to twenty-three inclusive, Purissima, Red Mountain, San Jose numbers one to thirty-three inclusive, and numbers ninety one to one hundred seven inclusive, Santa Clara numbers one to nine inclusive, San Tomas, Saratoga numbers one and two, Seale, Stanford numbers one and two and Sunnyvale numbers one to four inclusive, shall constitute the thirtieth assembly district.

31. All that portion of the county of Santa Clara not included in the thirtieth assembly district as fixed and defined by this section, shall constitute the thirty-first assembly district.

32. The county of Stanislaus shall constitute the thirty-second assembly district.

33. The counties of Merced and Madera shall constitute the thirty-third assembly district.

34. The counties of San Benito and Santa Cruz shall constitute the thirty-fourth assembly district.

35. The counties of Monterey and San Luis Obispo shall constitute the thirty-fifth assembly district.

36. All that portion of the county of Fresno bounded as follows: Commencing at the point of intersection of the center line of Ashlan avenue and the center of the main line track of the Southern Pacific railroad running between the cities of San Francisco, Merced and Fresno; thence along the center line of the following named streets, to wit: easterly on Ashlan avenue to Winery avenue; southerly on Winery avenue to McKinley avenue; westerly on McKinley avenue to Chestnut avenue; southerly on Chestnut avenue to Church avenue; westerly on Church avenue to Hughes avenue; northerly on Hughes avenue to the center of the main line track of the Southern Pacific railroad named above; northwesterly along the center line of said track to the point of beginning, shall constitute the thirty-sixth assembly district.

37. All that portion of the county of Fresno not included in the thirty-sixth assembly district shall constitute the thirty-seventh assembly district.

38. The counties of Kings and Tulare shall constitute the thirty-eighth assembly district.

39. The county of Santa Barbara shall constitute the thirty-ninth assembly district.

40. The county of Ventura shall constitute the fortieth assembly district.

41. The county of Kern shall constitute the forty-first assembly district.

42. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the northwesterly boundary of the county of Los Angeles as the same existed January 19, 1931, and the northerly line of section 8 township 1 south, range 19 west, San Bernardino meridian; thence northeasterly along the boundary of said county and following the same in all its various courses to the township line between townships 3 and 4 north; San Bernardino meridian; thence westerly along said township line to the northerly prolongation of the easterly line of section 3 township 2 north, range 13 west, San Bernardino meridian; thence southerly along said prolongation to the northeasterly corner of said section 3; thence southerly along section lines and the southerly prolongation thereof to the northerly boundary of the city of Glendale as the same existed January 19, 1931; thence westerly along the boundary of said city and following the same in all its various courses to the easterly boundary of the city of Burbank as the same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner of said last mentioned city, being also an angle point in the city of Los Angeles as the same existed on above mentioned date; thence southeasterly along the southwesterly boundary of the aforesaid city of Los Angeles to the most northerly corner of tract No. 7354 as shown on map recorded in book 89, pages 89 and 76 to 81 of maps, records of Los Angeles county; thence southeasterly along the northeasterly line of said tract to the most easterly corner of lot 311 of said tract; thence due east to the center line of Hollywood way; thence southwesterly along the center line of Hollywood way to a point in the northerly boundary of that certain territory annexation to the city of Los Angeles May 22, 1915, known as the San Fernando addition; thence easterly along the boundary of said annexation and following the same in all its various courses to a point in the southeasterly prolongation of the northeasterly line of that portion of Woodrow Wilson drive extending from Cahuenga boulevard to Holly trail; thence northwesterly along said prolongation and northeasterly line of said Woodrow Wilson drive to a point in the southerly boundary of the aforesaid San Fernando

annexation to the city of Los Angeles; thence westerly along the boundary of said annexation and following the same in all its various courses to an angle point in the boundary of the city of Los Angeles as the same existed January 19, 1931, said point being also the most easterly corner of fractional section 33 township 1 north range 16 west, San Bernardino meridian; thence southwestwardly along the boundary of said last mentioned city to the southerly line of fractional section 18 township 1 south range 16 west, San Bernardino meridian; thence westerly along section lines to the southeast corner of section 13 township 1 south, range 19 west, San Bernardino meridian; thence northerly and westerly along the easterly and northerly lines of said section 13 to the southeast corner of section 11 said last mentioned township, and range; thence northerly along the easterly line of said section 11 to the northeast corner thereof; thence westerly along section lines to the point of beginning, shall constitute the forty-second assembly district.

43. All that portion of the county of Los Angeles described as follows:

Beginning at the most westerly corner of the city of Burbank as the same existed on January 19, 1931; thence easterly along the boundary of said city and following the same in all its various courses to an angle point in the boundary of the city of Glendale as the same existed on above mentioned date at or near the northwest corner of lot 124 of the Scott tract as shown on map recorded in book 43, pages 47 to 59 of miscellaneous records of Los Angeles county; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of the city of Los Angeles as the same existed on above mentioned date, at or near the northeasterly corner of lot 41 of "Addition to Reckdale" as shown on map recorded in book 23, page 40 of miscellaneous records of said county; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner of aforesaid city of Burbank; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the forty-third assembly district.

44. All that portion of the county of Los Angeles described as follows:

Beginning at the most southerly corner of the city of Glendale, as same existed January 19, 1931, being also an angle point in the boundary of the city of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Harriman avenue, as shown on map of Pasadena Villa tract, recorded in book 3, pages 5 to 8 of maps, records of Los Angeles county; thence southwestwardly along the center line of Harriman avenue to the center line of Pullman street; thence northwesterly along the center line of Pullman street to the center line of Hawley avenue; thence southwestwardly along the center line of Hawley avenue to the range line between ranges 12 and 13 west, San Bernardino meridian; thence southerly along said range line to the easterly prolongation of the north patent boundary of the city of Los Angeles; thence westerly along said easterly prolongation and along said north patent boundary to the center line of Carlotia boulevard; thence southwestwardly along the center line of Carlotia boulevard to the center line of avenue 44; thence northwesterly along the center line of avenue 44 to the center line of Pasadena avenue; thence southwestwardly along the center line of Pasadena avenue to the center line of avenue 44 (from the northwest); thence northwesterly along the center line of avenue 44 and the northwesterly prolongation thereof to the center line of Marmion way; thence southwestwardly along the center line of Marmion way and following the same in all its various courses to the center line of Arroyo Seco avenue; thence southwestwardly along the center line of Arroyo Seco avenue to the center line of avenue 37; thence northwesterly along the center line of avenue 37 to the center line of Dayton avenue (from the southwest); thence southwestwardly along the center line of Dayton avenue to the center line of Amabel street; thence northwesterly along the center line of Amabel street to the center line of Isabel street; thence southwestwardly along the center line of Isabel street and following the same in all its various courses to the center line of Roseview avenue; thence southwestwardly along the center line of Roseview avenue and the southwestwardly prolongation thereof to the center line of the Los Angeles river; thence northwesterly along the Los Angeles river to the point where the Los Angeles river intersects the north patent boundary line of the city of Los Angeles; thence easterly along the north patent boundary line of the city of Los Angeles to the point where the north patent boundary line of the city of Los Angeles intersects the southwestwardly line of the Southern Pacific Railroad Company's right of way (valley line); thence northwesterly along the southwestwardly line of said last mentioned right of way to the point of beginning, shall constitute the forty-fourth assembly district.

45. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Isabel and Roseview avenues in the city of Los Angeles as the same existed on January 19, 1931; thence southeasterly along the center line of Isabel street and following the same in all its various courses to the center line of Amabel street; thence southeasterly along the center line of Amabel street to the center line of Dayton avenue; thence northwesterly along the center line of Dayton avenue to the center line of avenue 37

(from the southeast); thence southeasterly along the center line of avenue 37 to the center line of Arroyo Seco avenue; thence northeasterly along the center line of Arroyo Seco avenue to the center line of Marmion way; thence northerly along the center line of Marmion way and following the same in all its various courses to the northwesterly prolongation of the center line of avenue 44; thence southeasterly along said prolongation and center line of avenue 44 to the center line of Pasadena avenue; thence northeasterly along the center line of Pasadena avenue to the center line of avenue 44 (from the southeast); thence southeasterly along the center line of avenue 44 to the center line of Carlotia boulevard; thence northeasterly along the center line of Carlotia boulevard to the north patent boundary of the city of Los Angeles; thence easterly along said north patent boundary and easterly prolongation thereof to the range line between ranges 12 and 13 west, San Bernardino meridian; thence northerly along said range line to the center line of Hawley avenue; thence northwesterly along the center line of Hawley avenue to the center line of Pullman street; thence southeasterly along the center line of Pullman street to the center line of Harriman avenue; thence northeasterly along the center line of Harriman avenue to the southerly boundary of the city of South Pasadena as the same existed on above mentioned date, being also the northerly boundary of the city of Los Angeles as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city of Los Angeles and following the same in all its various courses to the center line of Indiana street, as shown on map of Boston heights, recorded in book 19, page 38 of miscellaneous records of Los Angeles county; thence northerly along the center line of Indiana street and northerly prolongation thereof to the center line of Alhambra avenue as shown on map of tract No. 679, recorded in book 17, page 24 of maps, records of said county; thence northwesterly and southwesterly along the center line of Alhambra avenue to the center line of Mission road; thence southwesterly along the center line of Mission road to the center line of the Pacific Electric Railway Company's right of way in Daly street; thence northerly along the center line of said right of way to the center line of the Southern Pacific Railroad Company's right of way in Alhambra avenue; thence southwesterly along the center line of said last mentioned right of way to the center line of the official bed of the Los Angeles river; thence northeasterly along the center line of said river and following the same in all its various courses to the southwesterly prolongation of the center line of Granada street; thence northeasterly along said prolongation and center line of Granada street to the center line of Los Angeles and Salt Lake Railroad Company's right of way (in Cypress avenue); thence northwesterly along the center line of said last mentioned right of way to the southwesterly prolongation of the center line of Roseview avenue (from the northeast); thence northeasterly along said prolongation and center line of Roseview avenue to the point of beginning, shall constitute the forty-fifth assembly district.

46. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of South Pasadena as same existed January 19, 1931, said corner being at the northeasterly corner of lot 2, tract No. 3119 as shown on map recorded in book 33, page 91 of maps, records of Los Angeles county; being also a point in the boundary of the city of Pasadena as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly corner of the Lamanda Park No. 2 annex to the city of Pasadena, said southwesterly corner being also an angle point in the boundary of the city of San Marino as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way in Huntington drive; thence northeasterly along the center line of said right of way to the westerly boundary of the city of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Oak avenue; thence southerly and southeasterly along the center line of Oak avenue to the center line of Garibaldi avenue; thence southwesterly along the center line of Garibaldi avenue to the center line of Encinita avenue; thence southerly along the center line of Encinita avenue and the southerly prolongation thereof to the center line of the Southern Pacific Railroad Company's right of way (main line to Yuma); thence northwesterly along the center line of said right of way to the range line between range 11 and 12 west, San Bernardino meridian; thence southerly along range line to the northerly boundary of the city of Montebello as same existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the intersection with the southerly boundary of the city of Monterey Park, as same existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to an angle point in the boundary of the city of Alhambra as same existed on above mentioned date, said angle point being at the southeasterly corner of lot 319 of Ramona acres plat No. 2, sheet No. 3, as shown on map recorded in book 17, pages 26 and 27 of maps, records of said county; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the above mentioned city of

South Pasadena, said point being located near the southwesterly corner of lot 39, tract No. 4303, as shown on map recorded in book 46, pages 96 and 97 of maps, records of said county; thence westerly along the boundary of said city and following the same in all its various courses to the point of beginning, shall constitute the forty-sixth assembly district.

47. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Allen avenue as shown on map of tract No. 1209 recorded in book 20, page 9 of maps, records of Los Angeles county, and the northerly boundary of the city of Pasadena as same existed January 19, 1931; thence southerly along the center line of Allen avenue to that portion of the southerly boundary of said city lying between Monta Vista street and Villa street; thence westerly along the boundary of said city and following the same in all its various courses to the center line of Allen avenue as shown on map of Avondale tract, recorded in book 8, page 117 of maps, records of said county; thence southerly along the center line of Allen avenue to that portion of the southerly boundary of said city lying between Elm street and Blanche street; thence westerly along the boundary of said city and following the same in all its various courses to the point of beginning, shall constitute the forty-seventh assembly district.

48. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the northerly prolongation of the easterly line of section 3, township 2 north, range 13 west, San Bernardino meridian, with the township line between townships 3 and 4 north, San Bernardino meridian; thence easterly along township line to the northwesterly corner of section 5, township 3 north, range 11 west, San Bernardino meridian; thence southerly along section lines to the southwesterly corner of section 32, township 2 north, range 11 west, San Bernardino meridian; thence easterly along the township line between townships 1 and 2 north, to the north and south quarter section line in section 3, township 1 north, range 11 west, San Bernardino meridian; thence southerly along north and south quarter section lines to the southwesterly corner of the northeast quarter of section 10, said last mentioned township and range, said last mentioned corner being also the northwesterly corner of the city of Monrovia, as the same existed on January 19, 1931; thence southerly along the westerly boundary of said city to the northeasterly corner of the city of Arcadia, as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Pacific Electric Railway Company's right of way in Huntington drive; thence southwesterly along said last mentioned center line to the northeasterly boundary of the city of San Marino as the same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to that portion of the easterly boundary of the city of Pasadena, as the same existed on above mentioned date, lying between Greenwood avenue and Allen avenue; thence northerly along said last mentioned city boundary and following the same in all its various courses to the center line of that portion of Allen avenue lying between Elm street and Blanche street; thence northerly along said last mentioned center line to that portion of the northerly boundary of said last mentioned city lying between Locust street and Corson street; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to that portion of the center line of Allen avenue lying between Villa street and Monta Vista street; thence northerly along the center line of Allen avenue to the northerly boundary of said last mentioned city; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the northerly boundary of the city of Glendale as the same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the southerly prolongation of the easterly line of section 3, township 2 north, range 13 west, San Bernardino meridian; thence northerly along said prolongation to the southeasterly corner of said last mentioned section; thence northerly along section lines and the northerly prolongation thereof to the point of beginning, shall constitute the forty-eighth assembly district.

49. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of section 5, township 3 north, range 11 west, San Bernardino meridian; thence easterly along the township line between townships 3 and 4 north, San Bernardino meridian, to the northeasterly boundary of the county of Los Angeles as same existed January 19, 1931; thence southeasterly along the boundary of said county and following the same in all its various courses to the southeasterly corner of township 2 south, range 10 west, San Bernardino meridian; thence northerly along the range line between ranges 9 and 10 west to the northwesterly corner of section 30, township 1 south, range 9 west, as same is established by projecting government section lines; thence easterly in a direct line to the southeasterly corner of section 20 said last mentioned township and range, as same is established by projecting government section lines; thence northerly in a direct line to the east and west quarter section line in fractional section 8, township 1 south, range 9 west, San Bernardino meridian; thence westerly along quarter section lines to the center line of Azusa canon road; thence southerly along the center line of Azusa canon road to the northerly boundary of the city of West Covina as same

existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the center line of Willow avenue; thence southwesterly along the center line of Willow avenue to the center line of Francisquito avenue; thence northwesterly along the center line of Francisquito avenue and the northwesterly prolongation thereof to the center line of El Monte street; thence southwesterly along the center line of El Monte street to the southeasterly boundary of the Rancho San Francisquito as shown on map recorded in book 1, page 31 of patents, records of Los Angeles county; thence northwesterly along the boundary of said Rancho San Francisquito and following the same in all its various courses to the southeasterly boundary of the city of Arcadia as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses, to the westerly boundary of the city of Monrovia as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the northwesterly corner thereof, said last mentioned northwesterly corner being also the center of section 10, township 1 north, range 11 west, San Bernardino meridian; thence northerly along quarter section lines to the township line between townships 1 and 2 north, San Bernardino meridian; thence westerly along said last mentioned township line to the southwesterly corner of section 32, township 2 north, range 11 west, San Bernardino meridian; thence northerly along section line to the point of beginning, shall constitute the forty-ninth assembly district.

50. All that portion of the county of Los Angeles described as follows:

Beginning at the southeasterly boundary of the city of Arcadia as same existed January 19, 1931, and the center line of Oak avenue; thence northeasterly along the boundary of said city and following the same in all its various courses to the northeasterly line of the Rancho San Francisquito as shown on map recorded in book 1, page 31 of patents, records of Los Angeles county; thence southeasterly along the boundary line of said rancho and following the same in all its various courses to the center line of El Monte street; thence northeasterly along the center line of El Monte street to the northwesterly prolongation of the center line of Francisquito avenue; thence southeasterly along said northwesterly prolongation and center line of Francisquito avenue to the center line of Willow avenue; thence northeasterly along the center line of Willow avenue to the southwesterly boundary of the city of West Covina as same existed on above mentioned date; thence northwesterly along the boundary of said city and following the same in all its various courses to the center line of Azusa canon road, said point being near the northeasterly corner of lot 16 of the Eugene Riggins subdivision of the Hathaway tract as shown on map recorded in book 53, page 37 of miscellaneous records of said county; thence northerly along the center line of Azusa canon road to the east and west quarter section line of section 9, township 1 south, range 10 west, San Bernardino meridian; thence easterly along quarter section lines to the easterly line of fractional section 8, township 1 south, range 9 west; thence southerly in a direct line to the southeasterly corner of section 20 said last mentioned township and range as same is established by projecting government section lines; thence westerly in a direct line to the northwesterly corner of section 30, township 1 south, range 9 west, as same is established by projecting government section lines, said northwesterly corner being a point in the range line between ranges 9 and 10 west, San Bernardino meridian; thence southerly along range line to the southerly boundary of the county of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said county and following the same in all its various courses to the southeasterly corner of the southwesterly quarter of section 13, township 3 south, range 11 west, San Bernardino meridian; thence westerly along section lines to the southwesterly corner of section 14 said last mentioned township and range; thence northerly along section lines to the northwesterly corner of the above mentioned section 14; thence westerly along section lines to the northwesterly corner of section 16 said last mentioned township and range; thence northerly along section line to the northeasterly corner of section 8 said last mentioned township and range; thence westerly along the northerly line of said section 8 to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (main line to San Diego); thence northerly along the center line of said right of way to the center line of Anaheim Telegraph road; thence westerly and northwesterly along the center line of Anaheim Telegraph road to a point due south of the most southerly corner of the city of Montebello as same existed on above mentioned date, thence due north to said last mentioned southerly corner of the city of Montebello; thence northeasterly along the southeasterly boundary of said city and following the same in all its various courses to the range line between range 11 and range 12 west, San Bernardino meridian, said point being on the northerly boundary of the above mentioned city of Montebello; thence northerly along range line to the center line of the Southern Pacific Railroad Company's right of way (main line to Yuma); thence southeasterly along the center line of said right of way to the southerly prolongation of the center line of Encinita avenue; thence northerly along said southerly prolongation and center line of Encinita avenue to the center line of Garibaldi avenue; thence northeasterly along the center line of Garibaldi avenue to the center line of Oak avenue; thence northwesterly and northerly along the center

line of Oak avenue; thence northwesterly and northerly along the center line of Oak avenue to the point of beginning, shall constitute the fiftieth assembly district.

51. All that portion of the county of Los Angeles described as follows:

Beginning at an angle point in the boundary of the city of Los Angeles as the same existed on January 19, 1931, said angle point being in the intersection of Indiana street and Medford street; thence easterly along the boundary of said city and following the same in all its various courses to the southwesterly corner of the city of Alhambra as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly corner of lot 319 as shown on map of Ramona acres plat No. 2, sheet No. 3, recorded in book 17, pages 26 to 27 of maps, records of Los Angeles county, said corner being also an angle point in the boundary of the city of Monterey Park as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the northerly boundary of the city of Montebello as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly line of Church road; thence northeasterly along said southeasterly line and the northeasterly prolongation thereof to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way; thence northwesterly along the center line of said right of way to its first intersection with the southeasterly boundary of the city of Vernon as the same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the southerly boundary of the city of Los Angeles as the same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the fifty-first assembly district.

52. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of the Southern Pacific Railroad Company's right of way in Alhambra avenue and the center line of the official bed of the Los Angeles river in the city of Los Angeles as the same existed on January 19, 1931; thence northeasterly along the center line of said right of way to the center line of the Pacific Electric Railway Company's right of way in Daly street; thence southerly along the center line of said last mentioned right of way to the center line of Mission road; thence northeasterly along the center line of Mission road to the center line of Alhambra avenue (from the northeast); thence northeasterly and southeasterly along the center line of Alhambra avenue to the center line of Indiana street, as shown on map of Boston Heights, recorded in book 19, page 38, of miscellaneous records of Los Angeles County; thence southerly along the center line of Indiana street to the southerly boundary of the city of Los Angeles as the same existed on above mentioned date (at or near the intersection of Medford and Indiana streets); thence westerly along the boundary of said city and following the same in all its various courses to the center line of the aforesaid official bed of the Los Angeles river; thence northwesterly along the center line of said river and following the same in all its various courses to the point of beginning. And all that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of Vernon as the same existed January 19, 1931, at or near the northwesterly corner of Twenty-fifth and Alameda streets, said point of beginning being also an angle point in the boundary of the city of Los Angeles as same existed on above mentioned date; thence easterly along the boundary of said city of Los Angeles and following the same in all its various courses to an angle point in aforesaid city of Vernon at or near the northeasterly corner of lot 16 of tract No. 8626 as shown on map recorded in book 121, pages 96 to 100, inclusive, of maps, records of Los Angeles county; thence southwesterly along the boundary of said city of Vernon and following the same in all its various courses to the center line of Atchison Topeka and Santa Fe Railway Company's right of way (main line to San Diego); thence southeasterly along the center line of said right of way to the northeasterly prolongation of the southeasterly line of Church road; thence southwesterly along said last mentioned northeasterly prolongation and southeasterly line of Church road to the first intersection with the boundary of the city of Montebello as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner of said last mentioned city; thence due south to the center line of Anaheim Telegraph road; thence southeasterly along the center line of Anaheim Telegraph road to the southeasterly boundary of the Rancho San Antonio as shown on map recorded in book 1, page 389 of patents, records of said county; thence southwesterly along the boundary of said rancho and following same in all its various courses to the first intersection with the northeasterly boundary of the city of South Gate as same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city near the northwesterly corner of tract No. 3233 as shown

on map recorded in book 36, page 70 of maps, records of said county; thence northwesterly along the northwesterly prolongation of that portion of the boundary of said last mentioned city lying on the southwesterly line of said last mentioned tract to the center line of Southern Pacific Railroad Company's right of way (Santa Ana branch); thence northwesterly along the center line of said right of way to the southerly prolongation of the center line of Santa Fe avenue; thence northerly along said southerly prolongation and center line of Santa Fe avenue to the southerly boundary of the city of Huntington Park as same existed on the above mentioned date; thence westerly along the boundary of said city to the first angle point therein, said angle point being near the southwesterly corner of lot A, tract No. 4286, as shown on map recorded in book 45, pages 27 and 28 of maps, records of said county; thence westerly along the center line of Florence avenue to the easterly boundary of the above mentioned city of Los Angeles; thence northerly along the boundary of said city and following the same in all its various courses to the point of beginning, shall constitute the fifty-second assembly district.

53. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Ninth street and Maple avenue in the city of Los Angeles as the same existed January 19, 1931; thence southeasterly along the center line of Ninth street to the center line of Alameda street; thence southerly along the center line of Alameda street to the southerly boundary of the city of Los Angeles as the same existed on above mentioned date, being also the northerly boundary of the city of Vernon as same existed on above mentioned date; thence westerly at the boundary of said city of Los Angeles and following the same in all its various courses to the center line of Slauson avenue (from the west) as shown on county surveyor's map No. 7147 on file in the office of the surveyor of Los Angeles county; thence westerly along the center line of Slauson avenue to the center line of Main street to the center line of Santa Barbara avenue; thence easterly along the center line of Santa Barbara avenue to the center line of Woodlawn avenue; thence northerly along the center line of Woodlawn avenue to the center line of Maple avenue; thence northeasterly along the center line of Maple avenue to the point of beginning, shall constitute the fifty-third assembly district.

54. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Dallas street and Riverside drive in the city of Los Angeles as same existed January 19, 1931; thence northeasterly along the center line of Dallas street and northeasterly prolongation thereof to the center line of the official bed of the Los Angeles river; thence southeasterly along the center line of said river and following the same in all its various courses to the northerly boundary of the city of Vernon as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city to the center line of Alameda street; thence northerly along the center line of Alameda street to the center line of Ninth street (from the northwest); thence northwesterly along the center line of Ninth street to the center line of Hill street; thence northeasterly along the center line of Hill street to the center line of Seventh street; thence northwesterly along the center line of Seventh street to the center line of Figueroa street; thence northeasterly along the center line of Figueroa street to the center line of First street; thence southeasterly along the center line of First street to the center line of Flower street; thence northeasterly along the center line of Flower street to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of Bunker Hill avenue; thence northeasterly along the center line of Bunker Hill avenue to the center line of California avenue; thence northwesterly along the center line of California avenue to the center line of Bunker Hill avenue (from the northeast); thence northeasterly along the center line of Bunker Hill avenue to the center line of Sunset boulevard; thence northwesterly along the center line of Sunset boulevard to the center line of Quintero street; thence northeasterly along the center line of Quintero street to the center line of Macbeth street; thence northwesterly along the center line of Macbeth street to the center line of Sutherland street; thence northeasterly along the center line of Sutherland street to the center line of that certain alley lying adjacent to and parallel with the northerly line of block six of Golden West heights, as shown on map recorded in book 34, page 91, miscellaneous records of Los Angeles county; thence northwesterly along the center line of said alley and the northwesterly prolongation thereof to the northeasterly prolongation of Portia street; thence northeasterly along said prolongation of Portia street to the center line of Scott avenue; thence northwesterly along the center line of Scott avenue to the center line of Sargent place; thence northeasterly along the center line of Sargent place to the center line of Park drive; thence northeasterly along the center line of Park drive and following the same in all its various courses to the southeasterly prolongation of Baxter street; thence southeasterly along said last mentioned prolongation to the northeasterly prolongation of Boylston street; thence northeasterly along said last mentioned prolongation to the center line of Riverside drive; thence northwesterly along the center line of Riverside drive to the point of beginning, shall constitute the fifty-fourth assembly district.

55. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Hoover street and Santa Monica boulevard in the city of Los Angeles as the same existed on January 19, 1931; thence northeasterly along the center line of Santa Monica boulevard to the center line of Sunset boulevard; thence southeasterly along the center line of Sunset boulevard and following the same in all its various courses to the center line of Bunker Hill avenue; thence southwesterly along the center line of Bunker Hill avenue to the center line of California street (from the southeast); thence southeasterly along the center line of California street to the center line of Bunker Hill avenue (from the southwest); thence southwesterly along the center line of Bunker Hill avenue to the center line of Temple street; thence northwesterly along the center line of Temple street to the center line of Flower street; thence southwesterly along the center line of Flower street to the center line of First street; thence northwesterly along the center line of First street to the center line of Figueroa street; thence southwesterly along the center line of Figueroa street to the center line of Seventh street; thence northwesterly along the center line of Seventh street to the center line of Hoover street; thence northerly along the center line of Hoover street to the center line of La Fayette Park place; thence northeasterly along the center line of La Fayette Park place to the center line of Sixth street; thence northwesterly along the center line of Sixth street to the center line of Hoover street; thence northerly along the center line of Hoover street to the center line of Occidental boulevard; thence northeasterly along the center line of Occidental boulevard to the center line of Beverly boulevard; thence northwesterly along the center line of Beverly boulevard to the center line of Hoover street; thence northerly along the center line of Hoover street to the center line of Micheltorena street; thence northeasterly along the center line of Micheltorena street to the center line of Temple street; thence northwesterly along the center line of Temple street to the center line of Hoover street; thence northerly along the center line of Hoover street to the point of beginning, shall constitute the fifty-fifth assembly district.

56. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Beverly boulevard and Western avenue in the city of Los Angeles as same existed January 19, 1931; thence northerly along the center line of Western avenue to the center line of Los Feliz boulevard; thence northeasterly along the center line of Los Feliz boulevard to the southwesterly prolongation of the center line of Griffith Park drive; thence northeasterly along said prolongation and center line of Griffith Park drive to the southeasterly boundary of Griffith park as shown on county surveyor's map number 2325 on file in the office of the surveyor of Los Angeles county; thence southwesterly along the boundary of Griffith park and following the same in all its various courses to an angle point in the northerly boundary of the city of Los Angeles as same existed January 19, 1931; thence northeasterly along the boundary of said city and following the same in all its various courses to an angle point in said boundary on the southwesterly line of the Southern Pacific Railroad Company's right of way (valley line), said angle point being the most southerly corner of the city of Glendale as same existed on above mentioned date; thence southeasterly along the southwesterly line of said right of way to the southwesterly prolongation of the center line of Granada street; thence southwesterly along said prolongation to the center line of the official bed of the Los Angeles river; thence northwesterly along the center line of said river to the northeasterly prolongation of the center line of Dallas street; thence southwesterly along said prolongation and center line of Dallas street to the center line of Riverside drive; thence southeasterly along the center line of Riverside drive to the northeasterly prolongation of Boylston street; thence southwesterly along said last mentioned prolongation to the southeasterly prolongation of the center line of Baxter street; thence northwesterly along said last mentioned prolongation to the center line of Park drive; thence southwesterly along the center line of Park drive and following the same in all its various courses to the center line of Sargent place; thence southwesterly along the center line of Sargent place to the center line of Scott avenue; thence southeasterly along the center line of Scott avenue to the northeasterly prolongation of the center line of Portia street; thence southwesterly along said last mentioned prolongation to the northwesterly prolongation of that certain alley lying adjacent and parallel to the northeasterly line of block six of Golden West heights, as shown on a map recorded in book 34, page 91 of miscellaneous records of Los Angeles county; thence southeasterly along said prolongation and center line of said alley to the center line of Sutherland street; thence southwesterly along the center line of Sutherland street to the center line of Macbeth street; thence southeasterly along the center line of Macbeth street to the center line of Quintero street; thence southwesterly along the center line of Quintero street to the center line of Sunset boulevard; thence northwesterly along the center line of Sunset boulevard and following the same in all its various courses to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of Micheltorena street; thence southwesterly along the center line of Micheltorena street to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Beverly boulevard; thence southeasterly along the center line of Beverly boulevard to the center line of Occidental boulevard; thence southwesterly along the center line

of Occidental boulevard to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Sixth street (from the south-east); thence southeasterly along the center line of Sixth street to the center line of La Fayette Park place; thence southwesterly along the center line of La Fayette Park place to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Seventh street (from the west); thence westerly along the center line of Seventh street to the center line of Vermont avenue; thence northerly along the center line of Vermont avenue to the center line of Beverly boulevard; thence westerly along the center line of Beverly boulevard to the point of beginning, shall constitute the fifty-sixth assembly district.

57. All that portion of the county of Los Angeles described as follows:

Beginning at an angle point in the boundary of the city of Los Angeles as same existed January 19, 1931, said angle point being also the most southerly corner of the city of Burbank as same existed on above mentioned date; thence northeasterly along the boundary of said city of Los Angeles and following the same in all its various courses to the first intersection with the northwesterly boundary of Griffith park as shown on county surveyor's map No. 2325 on file in the office of the surveyor of Los Angeles county; thence southwesterly along the boundary of said Griffith park and following the same in all its various courses to the center line of Griffith park drive; thence southwesterly along the center line of Griffith park drive and southwesterly prolongation thereof to the center line of Los Feliz boulevard; thence southwesterly along the center line of Los Feliz boulevard to the center line of Western avenue; thence southerly along the center line of Western avenue to the center line of Beverly boulevard; thence westerly along the center line of Beverly boulevard to the easterly boundary of the Rosewood addition to the city of Los Angeles, said easterly boundary lying between Gardner and Vista streets; thence southerly along the boundary of said Rosewood addition and following the same in all its various courses to the center line of Beverly boulevard; thence westerly along the center line of Beverly boulevard to the center line of Fairfax avenue; thence northerly along the center line of Fairfax avenue to the southerly boundary of the city of Los Angeles as same existed on above mentioned date (on the northerly line of Fountain avenue); thence westerly along the boundary line of said last mentioned city and following the same in all its various courses to the center line of Hayworth avenue; thence northerly along the center line of Hayworth avenue to the center line of Sunset boulevard; thence easterly along the center line of Sunset boulevard to the center line of Hayworth avenue (from the north); thence northerly along the center line of Hayworth avenue to the center line of Selma avenue; thence westerly along the center line of Selma avenue to the westerly boundary of the Hollywood consolidation to the city of Los Angeles; thence northerly along the boundary of said consolidation and following the same in all its various courses to the center line of El Cerrito place; thence southeasterly along the center line of El Cerrito place to the center line of Hillside avenue (from the east); thence easterly along the center line of Hillside avenue to the center line of Outpost drive; thence southeasterly along the center line of Outpost drive to the center line of Franklin avenue; thence easterly along the center line of Franklin avenue to the center line of Highland avenue (from the northeast); thence northeasterly and northerly along the center line of Highland avenue and the northerly prolongation thereof to the center line of Cahuenga boulevard; thence northwesterly along the center line of Cahuenga boulevard to the southeasterly prolongation of the northeasterly line of that portion of Woodrow Wilson drive extending from Cahuenga boulevard to Holly trail; thence southeasterly along said last mentioned prolongation to the northeasterly boundary of the San Fernando addition to the city of Los Angeles; thence northwesterly along the boundary of said addition and following the same in all its various courses to the center line of Hollywood way; thence northeasterly along the center line of Hollywood way to a point due east of the most easterly corner of lot 311 of tract No. 7354 as shown on map recorded in book 99, pages 76 to 81 inclusive, of maps, records of Los Angeles county; thence due west to the most easterly corner of said lot 311; thence northwesterly along the northeasterly line of said tract No. 7354 to the most northerly corner of said tract No. 7354, being also an angle point in the boundary of the city of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city to the point of beginning, shall constitute the fifty-seventh assembly district.

58. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Beverly boulevard and Rossmore avenue (from the south), in the city of Los Angeles as same existed January 19, 1931; thence easterly along the center line of Beverly boulevard to the center line of Vermont avenue; thence southerly along the center line of Vermont avenue to the center line of Seventh street; thence easterly along the center line of Seventh street to the center line of Westmoreland avenue; thence southerly along the center line of Westmoreland avenue to the center line of Tenth street; thence westerly along the center line of Tenth street to the northerly prolongation of the center line of that certain private driveway lying westerly of and adjacent to the westerly line of lot 32 of Clark Bryan's Westmoreland place, as shown on map recorded in book 6, pages 110

and 111 of maps, records of Los Angeles county; thence southerly along the center line of said private driveway to the center line of Pine street; thence easterly along the center line of Pine street to the center line of Orchard avenue; thence southerly along the center line of Orchard avenue to the center line of Washington street; thence westerly along the center line of Washington street to the center line of Victoria avenue; thence northerly along the center line of Victoria avenue to the center line of Pine boulevard; thence westerly along the center line of Pine boulevard to the center line of Ramona boulevard; thence northerly along the center line of Ramona boulevard to the center line of Wilshire boulevard; thence easterly along the center line of Wilshire boulevard to the center line of Romaine boulevard; thence northerly along the center line of Romaine boulevard to the center line of Third street; thence westerly along the center line of Third street to the center line of Rossmore avenue; thence northerly along the center line of Rossmore avenue to the point of beginning, shall constitute the fifty-eighth assembly district.

59. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the northeasterly boundary of the Rancho San Vicente y Santa Monica, as shown on map recorded in book 3, page 70 of minutes, records of Los Angeles county, with the southerly boundary of the San Fernando portion of the city of Los Angeles, thence easterly along the boundary of said addition to the northwesterly prolongation of the northwesterly line of that portion of Woodrow Wilson drive extending from Camarillo boulevard to Holly trail; thence southeasterly along said northwesterly prolongation and northwesterly line of said portion of Woodrow Wilson drive and the southeasterly prolongation thereof to the center line of Camarillo boulevard; thence southeasterly along the center line of Camarillo boulevard to the northerly prolongation of the center line of Highland avenue; thence southerly along said southerly prolongation and center line of Highland avenue to the center line of Franklin avenue from the west; thence westerly along the center line of Franklin avenue to the center line of Outpost drive; thence northerly along the center line of Outpost drive to the center line of Hillside avenue; thence easterly along the center line of Hillside avenue to the center line of El Cerrito place; thence northwesterly along the center line of El Cerrito place to the northwesterly boundary of the Hollywood consolidation to the city of Los Angeles; thence southwesterly along the boundary of the above mentioned consolidation, and following the same in all its various courses to the center line of Selma avenue; thence easterly along the center line of Selma avenue to the center line of Hayworth avenue; thence southerly along the center line of Hayworth avenue to the center line of Sunset boulevard; thence westerly along the center line of Sunset boulevard to the center line of Hayworth avenue, from the south; thence southerly along the center line of Hayworth avenue to the first intersection with the southerly boundary of the city of Los Angeles as same existed January 19, 1931, said boundary lying between Sunset boulevard and Fountain avenue; thence easterly, southerly and easterly along the boundary of said last mentioned city to the center line of Fairfax avenue; thence southerly along the center line of Fairfax avenue to the center line of Beverly boulevard; thence easterly along the center line of Beverly boulevard to the westerly boundary of the Reserved addition to the city of Los Angeles, thence southerly, easterly, and northerly along the boundary of said last mentioned addition to the center line of Beverly boulevard; thence easterly along the center line of Beverly boulevard to the center line of Rossmore avenue; thence southerly along the center line of Rossmore avenue to the center line of Third street; thence westerly along the center line of Third street to the center line of Ramona boulevard; thence southerly along the center line of Ramona boulevard to the center line of Wilshire boulevard; thence westerly along the center line of Wilshire boulevard to the center line of Romaine boulevard; from the southwest; thence southwesterly along the center line of Romaine boulevard to the center line of Pine boulevard; thence westerly along the center line of Pine boulevard to the center line of Heath avenue; thence northwesterly along the center line of Heath avenue to the westerly prolongation of the southerly boundary of the city of Beverly Hills as same existed on above mentioned date, said southerly boundary being the southerly line of lot 4, tract No. 3613 as shown on map recorded in book 38, pages 65 and 66 of maps, records of said county; thence easterly along said westerly prolongation to the first angle point in aforesaid boundary; thence northwesterly along the boundary of said city and following the same in all its various courses to the southerly line of section 14, township 1 south, range 15 west, San Bernardino meridian; thence westerly along section lines to the northwesterly boundary of the aforesaid Rancho San Vicente y Santa Monica; thence northwesterly along the northwesterly boundary of said rancho to the point of beginning, shall constitute the fifty-ninth assembly district.

60. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the northwesterly boundary of the county of Los Angeles, as same existed January 19, 1931, and the northerly line of section 8, township 1 south, range 19 west, San Bernardino meridian; thence easterly along section lines to the northeasterly corner of section 11, said last mentioned township and range; thence southerly along section line to the northwesterly corner of section 13, above mentioned township and range; thence easterly along the northerly line of section 13 to the range line between range 19 west and range 18 west, San Bernardino meridian; thence southerly along range line to the northwesterly corner of section 19, township 1 south, range 18 west, San Bernardino meridian; thence

easterly along section lines to the northwesterly line of the Rancho San Vicente y Santa Monica as shown on map recorded in book 3, page 30 of patents, records of Los Angeles county; thence northeasterly along said last mentioned rancho line to the southerly boundary of the San Fernando addition to the city of Los Angeles; thence easterly along the southerly boundary of said addition to the northeasterly boundary of the above mentioned rancho; thence southeasterly along the northeasterly boundary of said rancho to the southerly line of fractional section 10, township 1 south, range 15 west, San Bernardino meridian; thence easterly along section lines to the first angle point in the boundary of the city of Beverly Hills as same existed January 19, 1931; thence southerly along the boundary of said city and following the same in all its various courses to the southwest corner of lot 4, tract No. 3613, as shown on map recorded in book 38, pages 65 and 66 of maps, records of said county; thence due west to the center line of Heath avenue; thence southeasterly along the center line of Heath avenue to the center line of Pico boulevard; thence southwesterly along the center line of Pico boulevard to the boundary of the city of Santa Monica as same existed on the above mentioned date; thence southeasterly and southwesterly along said last mentioned boundary to the most southerly corner of said last mentioned city, being a point in the boundary of the county of Los Angeles; thence northwesterly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the sixtieth assembly district.

61. All that portion of the county of Los Angeles described as follows:

Beginning at the most southerly corner of the city of Santa Monica as same existed January 19, 1931, with the southwesterly boundary of the county of Los Angeles; thence northeasterly and northwesterly along the boundary of said city of Santa Monica to the center line of Pico boulevard; thence northeasterly and easterly along the center line of Pico boulevard to the center line of Victoria avenue; thence southwesterly along the center line of Victoria avenue to the center line of Washington street; thence easterly along the center line of Washington street to the center line of Bronson avenue; thence southwesterly along the center line of Bronson avenue to the center line of Adams street; thence westerly along the center line of Adams street to the center line of Crenshaw boulevard; thence southerly along the center line of Crenshaw boulevard to the southerly boundary of the Palms addition to the city of Los Angeles; thence westerly along said last mentioned boundary to the westerly boundary of the Rancho Cienega O'Paso de la Tijera, as shown on map recorded in book 1, page 259 of patents, records of Los Angeles county; thence southerly along the boundary of said last mentioned rancho and following the same in all its various courses to the north and south quarter section line in section 17, township 2 south, range 14 west, San Bernardino meridian; thence southerly along said last mentioned quarter section line to the east and west quarter section line in section 17, township 2 south, range 14 west; thence easterly along said last mentioned quarter section line and its prolongation thereof to the westerly line of tract No. 6177 as shown on map recorded in book 144, pages 77 to 81 of maps, records of said county; thence northerly along the westerly line of said last mentioned tract to the center of Chanson drive; thence easterly and southeasterly along the center line of Chanson drive to the center line of Mullen way; thence northeasterly along the center line of Mullen way to the center line of Floresta way; thence easterly along the center line of Floresta way to the center line of Mullen avenue; thence southeasterly along the center line of Mullen avenue to the center line of Angelus Vista boulevard; thence southwesterly along the center line of Angelus Vista boulevard to the center line of Mullen avenue from the south; thence southerly along the center line of Mullen avenue to the center line of Fifty-second street; thence easterly along the center line of Fifty-second street to the westerly boundary of the city of Los Angeles as same existed on the above mentioned date; thence southerly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of Larabee street; thence southwesterly along the center line of Larabee street to the center line of Culver boulevard; thence southwesterly along the center line of Culver boulevard to the center line of Esplanade; thence southwesterly along the center line of Esplanade and the southwesterly prolongation thereof to the southwesterly boundary of the county of Los Angeles; thence northwesterly along said southwesterly boundary to the point of beginning, shall constitute the sixty-first assembly district.

62. All that portion of the county of Los Angeles described as follows:

Beginning at the southwesterly prolongation of the center line of Esplanade as shown on map of tract No. 8573, recorded in book 103, pages 19 and 20 of maps, records of Los Angeles county, with the southwesterly boundary of the county of Los Angeles; thence northeasterly along said southwesterly prolongation and center line of Esplanade and following the same in all its various courses to the center line of Culver boulevard; thence northeasterly along the center line of Culver boulevard to the center line of Larabee street; thence northeasterly along the center line of Larabee street to the first intersection with the northeasterly boundary of the city of Los Angeles as same existed on January 19, 1931; thence southeasterly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of Victoria avenue; thence southerly along the center line of Victoria avenue to the center line of Fifty-second street; thence easterly along the center line of Fifty-second street to the center line of Los

Angeles Railway Company's right of way in Crenshaw boulevard; thence southerly along the center line of said right of way to the center line of Slauson avenue; thence easterly along the center line of Slauson avenue to the center line of Van Ness avenue (from the south); thence southerly along the center line of Van Ness avenue to the first angle point in the boundary of the city of Inglewood as same existed on the above mentioned date, said angle point being the northeasterly corner of block 17, tract No. 1924, as shown on map recorded in book 23, page 47 of maps, records of said county; thence southerly along the boundary of said city of Inglewood to the center of section 2, township 3 south, range 14 west, San Bernardino meridian; thence southerly along quarter section line and the center line of Arlington street to the center line of One Hundred Twenty-eighth street; thence westerly along the center line of One Hundred Twenty-eighth street to the easterly boundary of the city of Hawthorne as same existed on the above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Prairie avenue; thence southerly along the center line of Prairie avenue to the northwesterly boundary of the city of Torrance as same existed on the above mentioned date; thence southwestward along the boundary of said last mentioned city and following the same in all its various courses to a point in the boundary of the city of Redondo Beach as same existed on the above mentioned date, said point being the northeasterly corner of block 19, as shown on map of townsite of Redondo Beach recorded in book 89, pages 1 to 17, inclusive, of miscellaneous records of said county; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of the above mentioned city of Torrance, said angle point being the northeasterly corner of tract No. 2650, as shown on map recorded in book 26, page 98 of maps, records of said county; thence southerly along the boundary of said city of Torrance and following the same in all its various courses to a point in the southwesterly corner thereof, said point being also a point in the southwesterly boundary of the county of Los Angeles; thence northwesterly along said southwesterly boundary to the point of beginning, shall constitute the sixty-second assembly district.

63. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Washington street and Bronson avenue, in the city of Los Angeles as same existed January 19, 1931; thence easterly and southeasterly along the center line of Washington street to the center line of Hoover street; thence southerly and southwesterly along the center line of Hoover street to the center line of Jefferson boulevard; thence southeasterly along the center line of Jefferson boulevard to the center line of Figueroa street; thence southwestward along the center line of Figueroa street to the center line of the Southern Pacific Railroad Company's right of way, Santa Monica branch (commonly known as the air line); thence westerly along the center line of said right of way to the center line of Vermont avenue (from the south); thence southerly along the center line of Vermont avenue to the center line of the Los Angeles Railway Company's right of way (in Santa Barbara avenue); thence westerly along the center line of said last mentioned right of way and following the same in all its various courses to the center line of Vernon avenue; thence westerly along the center line of Vernon avenue to the center line of Crenshaw boulevard; thence northwesterly along the center line of Crenshaw boulevard to the center line of Vernon avenue (from the southwest); thence southwestward along the center line of Vernon avenue to the first intersection with the southwesterly boundary of aforesaid city of Los Angeles; thence southeasterly along the boundary of said city and following the same in all its various courses to the center line of Fifty-second street, as shown on map of tract No. 5535, recorded in book 76, pages 74 and 75 of maps, records of Los Angeles county; thence westerly along the center line of Fifty-second street to the center line of Mullen avenue; thence northerly along the center line of Mullen avenue to the center line of Angeles Vista boulevard; thence northeasterly along the center line of Angeles Vista boulevard to the center line of Mullen avenue (from the northwest); thence northwesterly along the center line of Mullen avenue to the center line of Floresta way; thence westerly along the center line of Floresta way to the center line of Mullen way; thence southwestward along the center line of Mullen way to the center line of Chanson drive; thence northwesterly and westerly along the center line of Chanson drive to the westerly line of tract No. 6177, as shown on map recorded in book 144, pages 77 to 81 inclusive, of maps, records of said county; thence southerly along the westerly line of said last mentioned tract to the easterly prolongation of the east and west quarter section line of fractional section 17, township 2 south, range 14 west, San Bernardino meridian; thence easterly along said prolongation and east and west quarter section line of said section to the north and south quarter section line in said section 17; thence northerly along said last mentioned quarter section line to the southwestward boundary of the Rancho Cienega O'Paso De La Tierra, as shown on map recorded in book 1, page 259 of patents, records of said county; thence northwesterly along the boundary of said rancho and following the same in all its various courses to the southerly boundary of the city of Los Angeles as same existed on above mentioned date, being also the southerly boundary of the Palms addition to the city of Los Angeles; thence easterly along the boundary of said Palms addition to the center line of Crenshaw

boulevard; thence northerly along the center line of Crenshaw boulevard to the center line of Adams street; thence easterly along the center line of Adams street to the center line of Bronson avenue (from the northwest); thence northwesterly along the center line of Bronson avenue to the point of beginning, shall constitute the sixty-third assembly district.

64. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Seventh street and Westmoreland avenue, in the city of Los Angeles as the same existed on January 19, 1931; thence easterly and southeasterly along the center line of Seventh street to the center line of Hill street; thence southwesterly along the center line of Hill street to the center line of Ninth street; thence southeasterly along the center line of Ninth street to the center line of Maple avenue; thence southwesterly along the center line of Maple avenue to the center line of Jefferson boulevard; thence northwesterly along the center line of Jefferson boulevard to the center line of Main street; thence southwesterly along the center line of Main street to the center line of Thirty-fifth street; thence northwesterly along the center line of Thirty-fifth street to the center line of Hill street; thence northeasterly along the center line of Hill street to the center line of the Southern Pacific Railroad Company's right of way Santa Monica branch (commonly known as the air line); thence westerly along the center line of said right of way to the center line of Figueroa street; thence northeasterly along the center line of Figueroa street to the center line of Jefferson boulevard; thence northwesterly along the center line of Jefferson boulevard to the center line of Hoover street; thence northeasterly and northerly along the center line of Hoover street to the center line of Washington street (from the northwest); thence northwesterly and westerly along the center line of Washington street to the center line of Orchard avenue; thence northerly along the center line of Orchard avenue to the center line of Pico street; thence westerly along the center line of Pico street to the center line of that certain private driveway lying westerly of and adjacent to lot 32 of Clark Bryan's Westmoreland place, as shown on map recorded in book 6, pages 110 and 111 of maps, records of Los Angeles county; thence northerly along the center line of said private driveway to the center line of Tenth street; thence easterly along the center line of Tenth street to the center line of Westmoreland avenue; thence northerly along the center line of Westmoreland avenue to the point of beginning, shall constitute the sixty-fourth assembly district.

65. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Vernon avenue and the southwesterly boundary of the city of Los Angeles as the same existed January 19, 1931, being also the southwesterly boundary of the Angeles Mesa addition to the city of Los Angeles; thence northeasterly along the center line of Vernon avenue to the center line of Crenshaw boulevard; thence southeasterly along the center line of Crenshaw boulevard to the center line of Vernon avenue (from the east); thence easterly along the center line of Vernon avenue to the center line of Los Angeles Railway Company's right of way (in Leimert boulevard); thence northerly along the center line of said right of way and following the same in all its various courses to the center line of Vermont avenue; thence northerly along the center line of Vermont avenue to the center line of Southern Pacific Railroad Company's right of way, Santa Monica branch, (commonly known as the air line); thence easterly along the center line of said last mentioned right of way to the center line of Hill street; thence southwesterly along the center line of Hill street to the center line of Thirty-fifth street; thence southeasterly along the center line of Thirty-fifth street to the center line of Main street; thence northeasterly along the center line of Main street to the center line of Jefferson boulevard; thence southeasterly along the center line of Jefferson boulevard to the center line of Maple avenue; thence southwesterly along the center line of Maple avenue to the center line of Woodlawn avenue; thence southerly along the center line of Woodlawn avenue to the center line of Santa Barbara avenue; thence westerly along the center line of Santa Barbara avenue to the center line of Main street; thence southerly along the center line of Main street to the center line of Slauson avenue; thence westerly along the center line of Slauson avenue to the center line of the Los Angeles Railway Company's right of way in Crenshaw boulevard; thence northerly along the center line of said last mentioned right of way to the center line of Fifty-second street; thence westerly along the center line of Fifty-second street to the center line of Victoria avenue; thence northerly along the center line of Victoria avenue to the first intersection with the northerly boundary of the city of Los Angeles as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the sixty-fifth assembly district.

66. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Slauson and Van Ness avenues, in the city of Los Angeles as the same existed January 19, 1931; thence easterly along the center line of Slauson avenue to the easterly boundary of the city of Los Angeles as the same existed on above mentioned date, (Shoestring addition); thence southerly along the boundary of said city and following the same in all its various courses to the center line of Manchester avenue; thence westerly along the center line of Manchester avenue and following the same in all its various courses

to the easterly boundary of the city of Inglewood as the same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to an angle point in said last mentioned boundary at or near the southerly line of Sixty-sixth street and the center line of Van Ness avenue; thence northerly along the center line of Van Ness avenue to the point of beginning, shall constitute the sixty-sixth assembly district.

67. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Manchester avenue and the easterly boundary of the city of Inglewood as same existed on January 19, 1931; thence easterly along the center line of Manchester avenue and following the same in all its various courses to the easterly boundary of the city of Los Angeles, as same existed on above mentioned date; thence northerly along the boundary of said city and following the same in all its various courses to the center line of Florence avenue; thence easterly along the center line of Florence avenue to the southwesterly corner of the city of Huntington Park as same existed on above mentioned date; thence easterly along the southerly boundary of said last mentioned city to the center line of Santa Fe avenue (from the south); thence southerly along the center line of Santa Fe avenue and the southerly prolongation thereof to the center line of the Southern Pacific Railroad Company's right of way (Santa Ana branch); thence southeasterly along the center line of said right of way to the northwesterly prolongation of that portion of the southwesterly boundary of the city of South Gate as same existed on above mentioned date lying on the southwesterly line of tract No. 3233, as shown on map recorded in book 36, page 70 of maps, records of Los Angeles county; thence southeasterly along said last mentioned prolongation to the boundary of said last mentioned city; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the northerly boundary of the city of Lynwood, as same existed on above mentioned date, at or near the southeasterly corner of tract No. 6717, as shown on map recorded in book 106, pages 1 to 4, inclusive, of maps, records of said county; thence westerly along the boundary of said city of Lynwood and following the same in all its various courses to the center line of One Hundred Seventh place, formerly known as First street of the Watts Park tract, as shown on map recorded in book 8, page 70 of maps, records of said county; thence southwesterly along the center line of One Hundred Seventh place to the easterly boundary of the city of Los Angeles as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Avalon boulevard; thence southerly along the center line of Avalon boulevard to the center line of Roscerans avenue; thence southwesterly and westerly along the center line of Roscerans avenue to the center line of San Pedro street; thence southeasterly along the center line of San Pedro street and along the center line of Avalon boulevard to the southerly line of the "Portion of the San Pedro Rancho" (known as the Boudry Downey and Hayward tract), as shown on map recorded in book 4, page 348 of miscellaneous records of said county; thence westerly along the southerly line of said last mentioned tract and along the southerly line of the Straumer tract as shown on map recorded in book 21, page 131 of maps, records of said county, to the easterly line of Main street; thence southerly and southwesterly along said easterly line of Main street to the township line between township 3 south and township 4 south, San Bernardino meridian; thence westerly along said township line to the southeasterly boundary of the city of Los Angeles as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the northwesterly corner of lot 1 of tract No. 4671, as shown on map recorded in book 36, pages 30 and 31 of maps, records of said county; thence due north to the center line of One Hundred Ninetieth street; thence westerly along the center line of One Hundred Ninetieth street to the easterly boundary of the city of Torrance as same existed on above mentioned date; thence northerly along the boundary of said city of Torrance and following the same in all its various courses to the center line of Prairie avenue at or near the most southerly corner of lot 8, tract No. 3321, as shown on map recorded in book 40, page 37 of maps, records of said county; thence northerly along the center line of Prairie avenue to the southwesterly boundary of the city of Hawthorne as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of One Hundred Twenty-eighth street; thence easterly along the center line of One Hundred Twenty-eighth street to the center line of Arlington street; thence northerly along the center line of Arlington street, northerly along quarter section line of section 2, township 3 south, range 14 west, San Bernardino meridian, to the first angle point in the southerly boundary of the city of Inglewood, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the point of beginning, shall constitute the sixty-seventh assembly district.

68. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of Torrance as same existed January 19, 1931, being also a point in the southeasterly boundary of the county of Los Angeles as same existed on above mentioned date; thence easterly along the

boundary of aforesaid city of Torrance and following the same in all its various courses to the northeasterly corner of tract No. 2650 as shown on map recorded in book 26, page 98 of maps, records of Los Angeles county; being also a point in the boundary of the city of Redondo Beach as same existed on above mentioned date; thence southeasterly and northwesterly along said last mentioned boundary to the northeasterly corner of block 19, townsite of Redondo Beach, as shown on map recorded in book 89, pages 1 to 17 of miscellaneous records of said county, said point being an angle point in the boundary of the above mentioned city of Torrance; thence northeasterly along the boundary of said city of Torrance and following the same in all its various courses to the center line of One Hundred Ninetieth street (from the east); thence easterly along the center line of One Hundred Ninetieth street to a point due north of an angle point in the boundary of the city of Los Angeles, as same existed on above mentioned date, at or near the northwesterly corner of lot 1 of tract No. 4671, as shown on map recorded in book 56, pages 30 and 31 of maps, records of said county; thence due south to the boundary of said last mentioned city; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the township line between township 3 south and township 4 south, San Bernardino meridian; thence easterly along said township line to the easterly line of Main street; thence southwesterly and southerly along the easterly line of Main street to the center line of Dominguez street; thence easterly, northeasterly and southeasterly along the center line of Dominguez street to the northerly line of tract No. 3848 as shown on map recorded in book 42, pages 68 and 69 of maps, records of said county; thence easterly along said northerly line to the northerly line of tract No. 4054 as shown on map recorded in book 44, pages 39, 40 and 41 of maps, records of said county; thence easterly along said northerly line and the easterly prolongation thereof to the easterly line of Wilmington avenue; thence southwesterly along the easterly line of Wilmington avenue and the southwesterly prolongation thereof to the northerly boundary of the above mentioned city of Los Angeles; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to a point in the above mentioned southwesterly boundary of the county of Los Angeles; thence southwesterly along said last mentioned southeasterly county boundary and following the same in all its various courses to the point of beginning.

Also including the islands of Santa Catalina and San Clemente, shall constitute the sixty-eighth assembly district.

69. All that portion of the county of Los Angeles described as follows:

Beginning at the southwesterly corner of lot 15 of the Straumer tract, as shown on map recorded in book 21, page 131, of maps, records of Los Angeles county, said point being in the easterly line of Main street; thence easterly along the southerly line of said lot 16, easterly along the southerly line of the Bassett tract, as shown on map recorded in book 2, page 44, of maps, records of said county; easterly along the southerly line of "Portion of the San Pedro Rancho" (known as the Beaudry Downey and Hayward tract), as shown on map recorded in book 4, page 348, miscellaneous records of said county and easterly along the southerly line of the Temple and Gibson tract as shown on map recorded in book 32, page 45, miscellaneous records of said county, to the southwesterly corner of the city of Compton as same existed January 19, 1931; thence easterly along the southerly boundary of said last mentioned city to the southeasterly corner thereof, said corner being a point in the northerly boundary of the city of Long Beach as same existed on above mentioned date; thence easterly along the boundary of said city of Long Beach to the southwesterly corner of the Gateway annexation to the city of Long Beach; thence easterly along the southerly boundary of said annexation to the center line of Atlantic avenue; thence southerly along the center line of Atlantic avenue to the first intersection with the boundary of the Long Beach boulevard district annexation to the city of Long Beach; thence southwesterly along the boundary of said last mentioned annexation and following the same in all its various courses to the center line of Long Beach boulevard; thence southeasterly along the center line of Long Beach boulevard to the southwesterly prolongation of the southeasterly line of lot 40, tract No. 3554 as shown on map recorded in book 38, pages 44 and 45, of maps, records of said county; thence northeasterly along said southwesterly prolongation to the first angle point in the boundary of the city of Long Beach as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the northeasterly corner of California avenue and Bixby road; thence due south to the center line of Bixby road; thence westerly along the center line of Bixby road to the center line of California avenue; thence southerly along the center line of California avenue to the northerly boundary of the city of Signal Hill as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of that portion of California avenue lying southerly of Burnett street; thence southerly along the center line of California avenue to the center line of Alamitos avenue; thence southwesterly along the center line of Alamitos avenue to the center line of Fourth street; thence easterly along the center line of Fourth street to the center line of Cherry avenue; thence southerly and

southwesterly along the center line of Cherry avenue to the center line of Ocean boulevard; thence easterly along the center line of Ocean boulevard to the center line of Eighteenth place; thence southwesterly along the center line of Sixteenth place and the southwesterly prolongation thereof to the southerly boundary of the county of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said county of Los Angeles and following the same in all its various courses to the first intersection with the northeasterly boundary of the city of Los Angeles as same existed on above mentioned date (Ostend addition); thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly prolongation of the center line of Wilmington avenue; thence northeasterly along said southwesterly prolongation and center line of Wilmington avenue to the easterly prolongation of the northerly line of lot 72, tract No. 4054 as shown on map recorded in book 44, pages 39, 40 and 41 of maps, records of said county; thence westerly along said easterly prolongation and northerly line of lot 72, easterly along the northerly line of said last mentioned tract No. 4054, easterly along the northerly line of tract No. 3848 as shown on map recorded in book 42, pages 68 and 69 of maps, records of said county, to the center line of Dominguez street; thence northwesterly, southwesterly and westerly along the center line of Dominguez street to the easterly line of Main street and following the same in all its various courses to the point of beginning, shall constitute the sixty-ninth assembly district.

70. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of Long Beach as same existed January 19, 1931, said point also being the northwesterly corner of the Gateway Park annex to the city of Long Beach; thence easterly along the boundary of said city and following the same in all its various courses to the southeasterly boundary of the county of Los Angeles as same existed on the above mentioned date; thence southwesterly along the boundary of said county and following the same in all its various courses to the southwesterly prolongation of the center line of Sixteenth place, as shown on map of Alamitos Beach townsite recorded in book 59, page 11, of maps, miscellaneous records of said county; thence northeasterly along the southwesterly prolongation and center line of Sixteenth place to the center line of Ocean boulevard; thence westerly along the center line of Ocean boulevard to the center line of Cherry avenue; thence northeasterly and northerly along the center line of Cherry avenue to the center line of Fourth street; thence westerly along the center line of Fourth street to the center line of Alamitos avenue; thence northeasterly along the center line of Alamitos avenue to the center line of California avenue; thence northerly along the center line of California avenue to the southwesterly boundary of the city of Signal Hill as same existed on the above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of California avenue; thence northerly along the center line of California avenue to the center line of Bixby road; thence easterly along the center line of Bixby road to the southerly prolongation of the easterly boundary of the aforesaid city of Long Beach, said easterly boundary being at or near the easterly line of California avenue and the northerly line of Bixby road; thence northerly along said southerly prolongation and easterly boundary of the aforesaid city of Long Beach and following the same in all its various courses to the most southerly corner of lot 40, tract No. 3554 as shown on map recorded in book 38, pages 44 and 45 of maps, records of said county; thence southwesterly along the southwesterly prolongation of the southeasterly line of aforesaid lot 40 to the center line of Long Beach boulevard; thence northwesterly along the center line of Long Beach boulevard to the southeasterly boundary of the Long Beach boulevard district annexation to the city of Long Beach; thence northeasterly along the boundary of said annexation and following the same in all its various courses to the center line of Atlantic avenue; thence northerly along the center line of Atlantic avenue to the southerly boundary of the Gateway Park annexation to the city of Long Beach; thence westerly along the boundary of said annexation and following the same in all its various courses to the point of beginning, shall constitute the seventieth assembly district.

71. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of South Gate as same existed on January 19, 1931, said point being in the southwesterly corner of lot 1234, tract No. 2080, sheet No. 2, as shown on map recorded in book 22, pages 162 and 163 of maps, records of Los Angeles county; thence easterly along the boundary of said city and following the same in all its various courses to the southeasterly boundary of the Rancho San Antonio as shown on map recorded in book 1, page 389 of patents, records of said county; thence northeasterly along the boundary of said rancho to the center line of Anaheim Telegraph road; thence southeasterly and easterly along The Atchison, Topeka and Santa Fe Railway Company's right of way (main line to San Diego); thence southerly along the center line of said right of way to the northerly line of section 8, township 3 south, range 11 west, San Bernardino meridian; thence easterly and southerly along the northerly and easterly lines of said section to the southeasterly corner thereof; thence easterly

along section lines to the northwesterly corner of section 14, said last mentioned township and range; thence southerly along the westerly line of said last mentioned section to the southwesterly corner thereof; thence easterly along section lines to the easterly boundary of the county of Los Angeles; thence southerly along the boundary of said county and following the same in all its various courses to the first intersection with the northerly boundary of the city of Long Beach as same existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the first intersection with the easterly boundary of the city of Compton, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city to the southwesterly corner thereof, said southwesterly corner being on the southerly line of the Temple and Gibson tract as shown on map recorded in book 32, page 45 of miscellaneous records of said county; thence westerly along the southerly line of said tract and the southern line of the "Portion of the San Pedro Rancho" (known as the Beaudry Downey and Hayward tract) as shown on map recorded in book 4, page 348 of miscellaneous records of said county, to the center line of Avalon boulevard; thence northwesterly along the center line of Avalon boulevard to the center line of San Pedro street; thence northwesterly along the center line of San Pedro street to the center line of Rosecrans avenue; thence easterly and northeasterly along the center line of Rosecrans avenue to the center line of Avalon boulevard (from the north); thence northerly along the center line of Avalon boulevard to the first intersection with the southerly boundary of the city of Los Angeles, as same existed on above mentioned date; thence easterly along the boundary of said city and following the same in all its various courses to the center line of One Hundred Seventh place, formerly known as First street of the Watts Park tract, as shown on map recorded in book 8, page 70 of maps, records of Los Angeles county; thence northeasterly along the center line of One Hundred Seventh place to the westerly boundary of the city of Lynwood, as same existed on above mentioned date; thence northwesterly and easterly along the boundary of said last mentioned city to the first intersection with the boundary of aforesaid city of South Gate, at or near the southeasterly corner of lot 33 of tract No. 6717, as shown on map recorded in Book 106, pages 1 to 4, inclusive, of maps, records of said county; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the seventy-first assembly district.

72. All that portion of the county of San Bernardino now comprised within the following townships, to wit: Chino, Ontario, Upland, Cucamonga, Etiwanda and San Bernardino, shall constitute the seventy-second assembly district.

73. All that portion of the county of San Bernardino not included within the seventy-second assembly district, as fixed and defined in this section shall constitute the seventy-third assembly district.

74. All that portion of the county of Orange included in and comprising the first, fourth and fifth supervisorial districts of said county as the same existed on January 1, 1931, shall constitute the seventy-fourth assembly district.

75. All that portion of the county of Orange not included within the seventy-fourth assembly district as fixed and defined in this section shall constitute the seventy-fifth assembly district.

76. The county of Riverside shall constitute the seventy-sixth assembly district.

77. The county of Imperial shall constitute the seventy-seventh assembly district.

78. All that portion of the county of San Diego, included and being in the city of San Diego, as the same existed on January 1, 1931, and included within the following described boundary lines, to wit: lying northerly and westerly of the center line of Twenty-eighth street at its southerly end, to wit: at the Bayshore line, and thence running northerly along the center line of Twenty-eighth street to the intersection with the center line of Broadway; thence easterly along the center line of Broadway to the intersection with the center line of Twenty-ninth street, thence northerly along the center line of Twenty-ninth street to the intersection with the center line of A street, thence westerly along the center line of A street to the intersection with the center line of Twenty-eighth street; thence northerly along the center line of Twenty-eighth street to the intersection with the center line of Upas street, thence westerly along the center line of Upas street to the intersection with the center line of Pershing drive; thence northerly along the center line of Pershing drive, to the intersection with the center line of Landis street. Thence westerly along the center line of Landis street to the intersection with the center line of Arnold street; thence northerly along the center line of Arnold street to the intersection with the center line of University avenue; thence westerly along the center line of University avenue to the center line of Park boulevard; thence northerly along the center line of Park boulevard to the intersection with the center line of Adams street; thence easterly along the center line of Adams street to the intersection with the center line of Alabama street; thence northerly along the center line of Alabama street to the intersection with the city boundary, at the northern termination of Alabama street in said city shall constitute the seventy-eighth assembly district.

79. All that portion of the county of San Diego included within the incorporated area of the city of San Diego as the same existed on January 1, 1931, not included within the seventy-eighth assembly district, as fixed and defined in this act, shall constitute the seventy-ninth assembly district.

80. All that portion of San Diego county not included within the seventy-eighth and seventy-ninth districts as fixed and defined by this act shall constitute the eightieth assembly district."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Reapportionment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Concurrent Resolution No. 7—Relative to establishment of a State Prison in one of the southern counties of the State of California.
Resolution read.

AMENDMENTS FROM THE FLOOR.

During the reading of the resolution the following amendments were offered, and their adoption moved by Senator Rochester:

AMENDMENT NUMBER ONE.

On page 2, line 17, of the printed resolution, as amended March 5, 1931, strike out the word "established".

AMENDMENT NUMBER TWO.

On page 2, line 25, of the amended printed resolution, after the comma following the word "Resolved", strike out the balance of said line, all of lines 26, 27, and 28, and insert in lieu thereof the following: "that it is the desire of the Legislature that such site be selected, if possible, within sixty days after the adjournment of the present session of the Legislature, and in the event such site shall not have then been selected, such legislative committee shall make and file with the governor its report setting forth all desirable sites considered by said committee; nothing in this resolution contained shall be construed as in anywise limiting or restricting the powers conferred upon the commission of said chapter 684; and be it further".

AMENDMENT NUMBER THREE.

Strike out all of lines 29 to 33, inclusive, on page 2 of the printed resolution, as amended March 5, 1931, and insert the following: "*Resolved*, That if the said commission and committee do not select a site for said prison within sixty days after the adjournment of the present session of the Legislature, a committee is hereby appointed consisting of the Speaker of the Assembly, and the President of the Senate, of the forty-ninth session of the Legislature, and the Director of Public Institutions, to jointly, with the said commission, select the site for said prison."

Amendments adopted.

Senate Concurrent Resolution No. 7 read, ordered to print, re-engrossment, and on file for adoption.

Senate Bill No. 354—An act to amend section 2640 of the Political Code, relating to opening and improving roads.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 354 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 4.

Relative to the Interstate Commerce Commission urging upon the railroad companies the necessity of through passenger car service between the Atlantic and Pacific coasts.

WHEREAS, The State of California and the entire Pacific Coast is anticipating the entertainment of large groups of visitors to the Olympic Games to be held in this State in 1932; and

WHEREAS, Many of such visitors will be from foreign lands, unfamiliar with our language, our customs, and the intricacies of our railroad systems; and

WHEREAS, The necessity of all such visitors to change cars at Chicago, en route to the Pacific Coast will cause them unnecessary discomfort and confusion; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly. That we hereby urge upon the Interstate Commerce Commission of the United States that it bring to the attention of the railroad companies the necessity to provide for the immediate assumption of through passenger car service between the Atlantic and Pacific coasts.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 4 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Clock, Denel, Edwards, Evans, Fellom, Harper, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Treacy, and Tubbs—23.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 4 ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 12.

Relative to memorializing Congress to make an emergency appropriation as a loan to the Federal Reclamation Fund.

WHEREAS, There is not now available in the Federal Reclamation Fund an adequate amount to carry on the construction and betterment on many reclamation projects approved by Congress and now in process of construction; and

WHEREAS, Such lack of funds necessitates the discontinuance of work thereon until such time as said reclamation fund may be augmented by the different sources of income thereto; and

WHEREAS, The prevailing economic depression throughout the nation may cause considerable time to elapse before the income to said reclamation fund will be adequate to permit the continuance of work on the various reclamation projects; and

WHEREAS, Said delay in the continuation of construction on such projects will add considerable to the cost of those projects now under construction, loss to settlers now on the projects awaiting an initial or additional water supply, and tend to add to the general economic depression in many localities in our western states; now, therefore, be it

Resolved by the Senate and the Assembly of the State of California, jointly. That the Legislature of the State of California most respectfully urges the Congress of the United States of America to make an emergency appropriation of five million dollars (\$5,000,000) as a loan to the reclamation fund; and his excellency, the Governor of the State of California, be requested to forward to the President of the Senate, the Speaker of the House of Representatives and to each of our Senators and Representatives in Congress a properly certified copy of this resolution.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 12 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Clock, Denel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Riley, Rochester, Slater, Treacy, Tubbs, and Williams—23.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 12 ordered transmitted to the Assembly.

SPECIAL ORDER.

Senator Allen moved that Senate Bill No. 286 be made a special order for Tuesday, March 17, 1931, at eleven o'clock and thirty minutes a.m.
Motion carried.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1184—An act to provide for the compilation of, printing, binding, publishing, and distribution of a legislative manual or handbook, and to repeal all acts in conflict herewith;

Also: Assembly Bill No. 644—An act to amend section 13 of chapter 248, Statutes of 1929, entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; and to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929;

Also: Assembly Bill No. 1035—An act to amend section 5.742 of the School Code, relating to the payment of teachers.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1184 read first time, and referred to Committee on Engrossment, Enrollment and Printing.

Assembly Bill No. 644 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1035 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 24—An act to amend sections 868, 870, 871, 872, 873, 874, 875, 876, 878, 879, 880, 881, 882, 883, and 884 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class;

Also: Assembly Bill No. 25—An act to amend sections 851, 852, 852a, 853, 854, 855, 857, 858, 859, 860, and 861 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class;

Also: Assembly Bill No. 397—An act to add two new sections to be numbered 1536m and 1589m to the Code of Civil Procedure, relating to dedication of real property for street or highway purposes by executors, administrators and guardians;

Also: Assembly Bill No. 1103—An act to amend sections 9 and 14 of an act entitled "An act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics, and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for the violation of this act," approved March 18, 1905, as amended, to require local registrars to furnish copies of death certificates to county clerk or county registrar of voters without cost;

Also: Assembly Bill No. 314—An act to dissolve Reclamation District No. 798, of Santa Barbara County, California;

Also: Assembly Bill No. 1315—An act to establish the line of ordinary high tide in certain parts of Newport Bay in Orange County, California, in conformity with certain decrees of the superior court of the State of California, in and for the county of Orange, establishing said line of ordinary high tide.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 24, 25, 397 and 1103 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 314 read first time, and referred to Committee on Conservation.

Assembly Bill No. 1315 read first time, and referred to Committee on Commerce and Navigation.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 12th passed Assembly Bill No. 952—An act to repeal article I, embracing sections 4460 to 4468, both inclusive, and article II, embracing sections 4480 to 4485, both inclusive, of chapter IV of part III of division IV of the School Code, and to repeal chapter 620 of the Statutes of 1920, entitled "An act to allow the tax for the special building fund of any school district to be levied and expended without the vote of the district," approved May 31, 1929, all relating to special building funds and special school funds of elementary school districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 952 read first time, and referred to Committee on Education.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 323—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class;

Also: Assembly Bill No. 324—An act to amend section 19a9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class;

Also: Assembly Bill No. 327—An act to amend section 2322a9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class;

Also: Assembly Bill No. 328—An act to add a new section to be numbered 9a9, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the ninth class:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that they do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

WAGY, Chairman.

Assembly Bills Nos. 323, 324, 327 and 328 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 182—An act to authorize the counties of the State of California to establish systems for the retirement and pension of county and township officers and employees and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—6; absent—3.

WAGY, Chairman.

Senate Bill No. 182 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 163—An act to amend section 4286 of the Political Code, relating to the compensation of county officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class;

Also: Assembly Bill No. 325—An act to amend section 16a9 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class;

Also: Assembly Bill No. 717—An act to amend sections 4005c and 4006 of the Political Code, relating to the population and classification of counties;

Has has the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—4; committee vote: Ayes—6.

WAGY, Chairman.

Assembly Bills Nos. 163, 325 and 717 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 167—An act to amend section 498 of the Civil Code, relating to construction of street railway tracks—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—6.

CARTER, Chairman.

Senate Bill No. 167 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 577—An act to relieve any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and all public ways and other property and rights of way of the public from requirements that such person, company, association or corporation pave, repave, macadamize, remacadamize, or otherwise improve any part of any such public highway, road, street, avenue, boulevard, lane, alley, court, place or public way or other property or right of way of the public, and repealing all acts or parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to this committee.

Committee membership—11; committee vote: Ayes—6; absent—5.

CARTER, Chairman.

Senate Bill No. 577 ordered on file for second reading.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Constitutional Amendment No. 8. A resolution to propose to the people of the State of California to amend the constitution of said State by amending section 7 of article XI, relating to charters of counties and the election of officers thereunder—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—6; absent—3.

WAGY, Chairman.

Senate Constitutional Amendment No. 8 ordered on file.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 423—An act to amend section 5.21 of the School Code, relating to the management and control of funds of State teachers colleges:

Also: Senate Bill No. 889—An act to amend section 1394 of the Political Code, relating to fees and rates of tuition of nonresident students of the University of California:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass, as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

DEUEL, Chairman.

Senate Bills Nos. 423 and 889 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 484—An act relating to the maintenance of professorships of nursing education at the University of California at Berkeley and Los Angeles, defining the powers and duties of the State Director of Finance in relation

thereto, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—7; absent—2.

DEUEL, Chairman.

Senate Bill No. 484 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 to 5.1490, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers, the State of California and school districts for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929;

Also: Senate Bill No. 292—An act to amend sections 4.1001, 4.1022, 4.1024, 4.1026, 4.1091, 4.1113, 4.1118, 4.1211, 4.1233, 4.1238, 4.1301, 4.1323 and 4.1325 of the School Code, relating to bonds of school districts:

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—13.

SLATER, Chairman.

Senate Bills Nos. 260 and 292 ordered off file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 74—An act to add section 24a to chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to chairmen of county central committees;

Also: Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

FELLOM, Chairman.

Senate Bills Nos. 74 and 448 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 232—An act to add sections 4a, 4b, 4c, 4d, 4e, 4f, 4g, 4h, 4i, 4j and 4k to and to amend sections 5, 7, 10, 12 and 24 of the Direct Primary Law.

Also: Senate Bill No. 227—An act to amend section 1188 of the Political Code, relating to independent nominations;

Also: Senate Bill No. 806—An act to amend sections 1195b, 1205, 1210, 1229 and 1261, of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262, of the Political Code, relating to tally lists;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, printed, and that the bill be re-referred to the committee.

Committee membership—11; committee vote: Ayes—10; absent—1.

FELLOM, Chairman.

Senate Bills Nos. 232, 227 and 806 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 759—An act to amend section 71 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the "Railroad Commission Fund" and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass, as amended.

Committee membership—11; committee vote: Ayes 6; absent -5.

CARTER, Chairman.

Senate Bill No. 759 ordered on file for second reading.

USE OF SENATE CHAMBER GRANTED.

Senator Sharkey moved, seconded by Senator Breed, that he be granted the use of the Senate Chamber for Wednesday, March 18th, at eight o'clock p.m., for a public hearing on Senate Bills Nos. 362, 363, 364 and 818 before the Committee on Oil Industries.

Motion carried.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Inman moved to reconsider the vote whereby Assembly Bill No. 166 was passed.

POSTPONEMENT OF MOTION TO RECONSIDER.

Senator Inman then moved to have his motion to reconsider the vote whereby Assembly Bill No. 166 was passed, postponed until the next legislative day.

Motion carried, and such was the order.

ADJOURNMENT.

At twelve o'clock and six minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, March 16, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, March 16, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 13, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Bush was, on motion of Senator Allen, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Warren Harding Barr of San Marino.

On request of Senator Riley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. B. E. Johnson and Mr. W. A. Chalfant.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Lucille Stewart.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Lyman M. King, former Senator, and Mr. J. J. Pendergast, former Assemblyman.

REMARKS BY SENATOR SLATER.

Senator Slater addressed the Senate as follows:

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: A signal honor has come both to the Senate of the State of California and to one of its distinguished members. Official word has been received from the national capital that President Herbert C. Hoover has named Senator Sanborn Young as one of four representatives of the United States to the International Opium Conference to be held in Geneva in May. As members of the Senate, we are unquestionably very happy. The appointment of Senator Young is a fine tribute to the untiring service he has rendered the world in his endeavor to stop the narcotic traffic and its baneful influence upon mankind. The service Senator Young has rendered has placed him in the foreground, and his efforts and accomplishments have gained him national recognition. He has spent not only much valuable time but his own money in his research, which has already demonstrated its great value in the crusade to effectually stamp out the evils resulting from the production, distribution and use of narcotics. The recognition given him in his selection by the President of the United States, is sincerely appreciated by his colleagues in the Senate of the State of California, who recognize in him a man imbued with the utmost sincerity in all his endeavors. We congratulate him, as we do the great cause in which he has worked, on his appointment to the Geneva Conference, which is destined to be outstanding in its importance.

REPLY BY SENATOR YOUNG.

In reply to Senator Slater's remarks Senator Young addressed the Senate as follows:

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: I am deeply grateful to you, Senator Slater, and to all of the members of the Senate for your generous tribute to our narcotic work. I am also deeply grateful to Senator Jones and to Lieutenant Governor Merriam for the tribute paid our narcotic work last January which was published in the Journal and in the press and was brought to the attention of the nation.

I am very proud and very humble—proud of the distinguished honor conferred upon me, and humble because of the grave responsibility which it carries. I realize that this is not a personal matter, but one involving a great principle. It is not for myself personally, but for the great crusade in which we are enrolled.

May I again express my deep appreciation to every member of the Senate and to all those who have aided in the accomplishments thus far realized which have made California the foremost state of the Union in its splendid handling of narcotic legislation.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.
PROPOSED AMENDMENT TO SENATE RULES.

Senator Breed gives notice that on the next legislative day, he would move the adoption of the following resolution amending the Standing Rules of the Senate:

RESOLUTION.

Resolved. That Rule No. 8 and Rule No. 31 of the Standing Rules of the Senate be and the same are hereby amended to read as follows:

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Live Stock, thirteen members.
2. Banking, nine members.
3. Building and Loan, eleven members.
4. Commerce and Navigation, nine members.
5. Conservation, seven members.
6. Constitutional Amendments, nine members.
7. Contingent Expenses, three members.
8. County Government, nine members.
9. Drainage, Swamp and Overflowed Lands, five members.
10. Education, fourteen members.
11. Elections, eleven members.
12. Engrossment, Enrolment and Printing, five members.
13. Federal Relations, five members.
14. Finance, eighteen members.
15. Fish and Game, sixteen members.
16. Governmental Efficiency, eleven members.
17. Hospitals and Asylums, six members.
18. Insurance, eleven members.
19. Irrigation, seven members.
20. Judiciary, seventeen members.
21. Labor and Capital, nine members.
22. Military Affairs, eleven members.
23. Mines and Mining, five members.
24. Motor Vehicles, seventeen members.
25. Municipal Corporations, ten members.
26. Oil Industries, eight members.
27. Prisons and Reformatories, seven members.
28. Public Charities, five members.
29. Public Health and Quarantine, seven members.
30. Public Morals, five members.
31. Public Utilities, eleven members.
32. Reapportionment, fifteen members.
33. Revenue and Taxation, thirteen members.
34. Revision of Criminal Law and Procedure, nine members.
35. Roads and Highways, sixteen members.
36. Rules, five members.
37. Universities and Teachers Colleges, nine members.

31. When amendments to a bill are reported by a committee, offered from the floor or submitted by a Special Committee of One, such amendments shall be submitted in triplicate, two copies to go to the Secretary of the Senate and one to the Minute Clerk. No amendment is in order that presents to the Senate practically a question that has already been decided; *provided, however,* that the foregoing shall not apply to amendments presented by a committee at the request of the author for the purpose of having a bill printed in completed form for further consideration, by such committee.

COMMUNICATION.

The following communication was received, read, and on motion of Senator Tubbs ordered printed in the Journal:

To the Officers and Members,

Forty-ninth Session of the California Legislature.

It is with a deep sense of honor that the family of the late Senator Patrick J. Gray acknowledge the beautiful tribute to his memory that has just come to them. Please accept our grateful appreciation of the loving sentiments expressed therein.

(Mrs.) CAROLINE GRAY.
(Miss) SHIRLEY L. GRAY.
(Mrs.) MARION GRAY AHL.

1501 Lincoln Way, San Francisco.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 16, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 12—An act to amend section 2 of chapter 763, Statutes of 1927, entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State Park System; to establish and define the State Park system; to define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the State Park system;

Also: Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170b, relating to justices of the peace, police court judges, and other inferior courts;

Also: Senate Bill No. 84—An act to amend section 1 of chapter 322, Statutes of 1913, entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, as amended, relating to the Legislative Counsel of California;

Also: Senate Bill No. 145—An act to amend section 3627a of the Political Code, relating to the taxation of securities and solvent credits;

Also: Senate Bill No. 286—An act to create the Trinity and Klamath River fish and game district, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 282—An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal chapter 615, Statutes of 1929, entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof," approved May 31, 1929;

Also: Senate Bill No. 336—An act to amend section 1 of chapter 763, Statutes of 1929, entitled "An act authorizing California Toll Bridge Authority and the Department of Public Works of the State of California to lay out, acquire and construct a highway crossing from the city of San Francisco across the bay of San Francisco to the county of Alameda and providing for the payment of the cost thereof," approved June 10, 1929, relating to the cost of said bridge and its adoption as a State highway;

Also: Senate Bill No. 430—An act to add a new section to be numbered 7b to chapter 648, Statutes of 1909, entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," as amended, relating to the use and disposition of moneys and funds of district agricultural associations;

Also: Senate Bill No. 471—An act to amend section 642 of the Political Code, relating to the duties of the Fish and Game Commissioners; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 517—An act to amend sections 674, 675, 679 and 689 of, and to add section 658a to, the Political Code, relating to the Department of Finance;

Also: Senate Bill No. 568—An act to amend section 539 of the Civil Code, relating to the recovery of damages for the breaking or injuring of subaqueous telegraph, telephone and electric power cables or gas pipe lines;

Also: Senate Bill No. 671—An act to amend section 2 of chapter 12, Statutes of 1911, entitled "An act providing for the management of the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park," relating to the compensation of wardens;

Also: Senate Bill No. 685—An act authorizing the Department of Finance to sell all of the right, title and interest of the State of California in and to certain real property situate in the county of San Joaquin, State of California;

Also: Senate Bill No. 692—An act to amend sections 2, 5, 6, and 8 of chapter 795, Statutes of 1927, entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch

and all game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," relating to the issuing of, accounting for, compensation for issuing, duration of, and mode of applying for hunting and fishing licenses and the definition of game fishes;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 56--An act to add a new section to the Penal Code to be numbered 5974, relating to the cropping of the ears of dogs--and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Constitutional Amendment No. 15--A resolution proposing to the people of the State of California a limitation of taxes on real estate by amending sections 1 and 14 of article XIII of the constitution of California.

COMMITTEE AMENDMENTS.

During the reading of Senate Constitutional Amendment No. 15, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the third line of the title of the printed bill, substitute the word "section" for the word "sections".

Amendment adopted.

AMENDMENT NUMBER TWO.

In the third line of the title of the printed bill, strike out the words "and 14".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, substitute the word "section" for the word "sections".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 7, of the printed bill, strike out the words "and 14".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 12, of the printed bill, strike out all matter beginning with the word "The", and ending with the word "burdens", in line 14.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, strike out all matter beginning with line 25 through line 18 on page 7.

Amendment adopted.

Senate Constitutional Amendment No. 15 ordered to print, and re-referred to Committee on Constitutional Amendments.

Senate Bill No. 182--An act to authorize the counties of the State of California to establish systems for the retirement and pension of county and township officers and employees and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out "one", all of lines 18 and 19, and in line 20 "officio treasurer of said fund.", and insert in lieu thereof the following: "from their number a chairman and treasurer, and by appointing a secretary."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, strike out "one and one-half", and insert in lieu thereof "two".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 13, of the printed bill, after "president", insert the following: "a treasurer".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out all of line 15, and in line 16 "county treasurer", and insert in lieu thereof the following: "The board".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 19, of the printed bill, strike out "him", and insert in lieu thereof the following: "them".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 21, of the printed bill, strike out "him", and insert in lieu thereof the following: "them".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 22, of the printed bill, strike out "first mortgages", all of lines 23 to 26, inclusive, and in line 27 "thereof.", and insert in lieu thereof the following: "those securities only which shall be legal for savings bank investments."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 33, of the printed bill, strike out "He", and insert in lieu thereof the following: "They".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 34, of the printed bill, strike out "he sells", and insert in lieu thereof the following: "they sell".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 37, of the printed bill, strike out "county treasurer", and insert in lieu thereof the following: "the members of the board".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 38, of the printed bill, strike out "his", and insert in lieu thereof "their".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 39, of the printed bill, strike out "he", and insert in lieu thereof the following: "they".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 39, of the printed bill, strike out "his official bond.", and insert in lieu thereof the following: "their official bonds."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 44, of the printed bill, strike out "system", and insert in lieu thereof the following: "fund".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, in line 8, of the printed bill, strike out the following: "and all surplus of said", all of lines 9 to 13, inclusive, and in line 14 the following: "or subject to its order.", and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 12, of the printed bill, after "pension shall", insert the following: "be paid to the surviving widow while she remains unmarried, or, if there be no surviving unmarried widow, then to the children of such officer until they shall have reached the age of eighteen years. If there be no surviving unmarried widow or children under the age of eighteen years, then such pension shall".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 12, of the printed bill, strike out "his", and insert in lieu thereof the following: "the".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 12, of the printed bill, after "or assigns", insert the following: "of the officer".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 5, line 44, of the printed bill, after "employment", strike out the comma and insert in lieu thereof the following: "where as a result of such employment the aggregate compensation paid to such pensioner would exceed the compensation paid to him in the position from which he was retired,".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on County Government.

Senate Bill No. 167—An act to amend section 498 of the Civil Code, relating to construction of street railway tracks.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 577—An act to relieve any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places and all public ways and other property and rights of way of the public from requirements that such person, company, association or corporation pave, repave, macadamize, remacadamize, or otherwise improve any part of any such public highway, road, street, avenue, boulevard, lane, alley, court, place, or public way or other property or right of way of the public and repealing all acts or parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title and insert new title reading as follows:

"An act defining the obligations of any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of section 1 and insert the following:

"SECTION 1. Whenever any person, company, association or corporation owning or operating any track or tracks of any railroad or railway shall disturb the pavement of any public highway, road, street, avenue, boulevard, lane, alley, court, place, public way, or other property or right of way of the public, for the construction, reconstruction, repair or removal of its said track or tracks, such person, company, association, or corporation shall, at its own cost and expense, restore said pavement, including the base or foundation thereof, to the same condition as before the disturbance thereof, and to the satisfaction of the board, body or public official having control of such public highway, road, street, avenue, boulevard, lane, alley, court, place, public way, or other property or right of way of the public. Whenever the state or any political subdivision thereof or any municipality shall pave, repave, macadamize, remacadamize, or otherwise improve, or shall cause to be paved, repaved, macadamized, remacadamized or otherwise improved, the whole or any portion of any such public highway, road, street, avenue, boulevard, lane, alley, court, place, public way, or other property or right of way of the public, which is occupied longitudinally or otherwise in whole or in part by the track or tracks of any railroad or railway, the person, company, association or corporation owning or operating such track or tracks shall, at the same time, and at its own cost and expense, put its track or tracks and track structures in good operating condition."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out all of section 3 and insert the following:

"Sec. 3. The obligations imposed by this act shall be and are in lieu and substitution of any and all other obligations of any such person, company, association or corporation to pave, repave, repair, macadamize, remacadamize or otherwise improve any public highway, road, street, avenue, boulevard, lane, alley, court, place, public way, or other property or right of way of the public, or to pay any part of the cost thereof except as herein provided; *provided*, nothing in this act contained shall be taken to exempt the nonoperative real property of any such person, company, association or corporation from having assessed against it its portion of such paving, repaving, macadamizing, remacadamizing or improvement according to benefits."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Utilities.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California to amend the constitution of said State by amending section 7½ of article XI, relating to charters of counties and the election of officers thereunder.

COMMITTEE AMENDMENT.

During the reading of Senate Constitutional Amendment No. 8, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 6, line 24, of the printed constitutional amendment, strike out everything on lines 24 to 32, inclusive, and insert the following:

"All elective officers of counties and of townships, of road districts and of highway construction divisions therein shall be nominated and elected in the manner provided

by general laws for the nomination and election of such officers; *provided, however*, it shall be competent in such charters to provide any other mode for their nomination and/or election, and to adopt and provide for any system of proportional representation on the legislative or governing body of counties, also the manner of voting under such system."

Amendment adopted.

Senate Constitutional Amendment No. 8 ordered to print, and re-referred to Committee on County Government.

Senate Bill No. 423—An act to amend section 5.21 of the School Code, relating to the management and control of funds of State teachers colleges.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out the word "and", and strike out all of lines 6, 7 and 8, inclusive, of said page 1, and insert in lieu thereof the following: "No fees nor deposits shall be charged or collected in any state teachers college unless authorized by the director of education, with the approval of the director of finance. All moneys collected, except such moneys as are designated by the director of finance as trust moneys, shall be remitted each month to the state treasurer for credit to the general fund. The director of education shall prescribe rules and regulations subject to the approval of and audit by the department of finance covering the collection, custody and disposition of any and all moneys collected at any state teachers college."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 889—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of nonresident students of the University of California.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, line 3 of the title, after the word "California", strike out the period and insert in lieu thereof a comma and the following: "and to add to said section a provision authorizing the attorney for the Regents of the University of California, and other persons, to administer oaths in connection with the taking of testimony relative to the residence status of students and prospective students of the University of California."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, after the word "shall", insert the following: "cause to be computed the actual cost to the university of maintaining one student in each of the respective courses of the several colleges for the period of one year. Each nonresident student shall be required to pay as the rate of tuition the sum provided for by the above computation for the particular course such student is following; *provided*, that the maximum sum to be paid shall not exceed five hundred dollars; and *provided, further*, that such sums may be remitted in whole or in part in the case of graduate students in other than professional colleges and schools.

The term "nonresident student" as used in this section shall be construed to mean any person who has not been a bona fide resident of the State of California for more than one year immediately preceding the opening day of a semester during which he proposes to attend the university.

The residence of each student shall be determined in accordance with the rules for determining residence prescribed by the provisions of section 52 of this code; *provided, however*, that every alien student who has not made a valid declaration of intention to become a citizen of the United States as provided by the laws thereof, prior to the opening day of a semester during which he proposes to attend the university, shall be deemed to be a nonresident student; and *further provided*, that

nothing herein or in section 52 of this code contained shall be construed to prevent the Regents from causing to be classified as a resident student any citizen of the United States, or any person who prior to the opening day of a semester during which he proposes to attend the university has made a valid declaration of his intention to become a citizen of the United States, who has attained his majority according to the laws of the State of California, and who for a period of one year immediately preceding the opening day of a semester during which he proposes to attend the university has been entirely self-supporting and actually present in the State of California, with the intention of acquiring a residence therein, nor from causing to be classified as a resident student any minor child, a citizen of the United States, or any minor child, who, prior to the opening day of a semester during which he proposes to attend the university, has made a valid declaration of his intention to become a citizen of the United States, who does not receive and has not for a period of more than one year immediately preceding the opening day of a semester during which he proposes to attend the university received, directly or indirectly, any support or financial assistance from his father, providing such minor lives with his mother, who is and has been for a period of more than one year immediately preceding the opening day of such semester actually present in the State of California with the intention of making her permanent home therein.

The attorney for the Regents of the University of California and any person appointed by him for the purpose of ascertaining the residence status of students and prospective students of the University of California shall have the power to administer oaths or affirmations in connection with the taking of testimony relative to such residence status."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 484—An act relating to the maintenance of professorships of nursing education at the University of California at Berkeley and Los Angeles, defining the powers and duties of the State Director of Finance in relation thereto, and making an appropriation therefor.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all following the word "relating", in line 1, all of line 2, and the words "and Los Angeles.", being the first three words in line 3, and insert in lieu thereof the following: "to the support and maintenance of instruction in nursing education at the University of California,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 6 following the word "California", and all of lines 7 to 14, inclusive, and insert in lieu thereof the following: "for the support and maintenance of instruction in nursing education at the University of California. Such agreement shall provide that the fund granted in trust shall be held intact but with full power in the regents to invest and reinvest the same in whatever form it shall take, and that the income from the fund shall be expended for the support and maintenance of instruction in nursing education and shall be used to provide for an additional instructor or instructors for assistance in said university, or for other expenses connected with instruction in nursing education maintained in said university."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Universities and Teachers Colleges.

Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 to 5.1470, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers and the State of California for the operation and

maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, as amended in Senate March 6, 1931, after the comma insert the following: "excepting those teachers in the University of California who are not included as members under the former state fund."

On page 10, line 21, of the printed bill, as amended in the Senate March 6, 1931, after said line 21, insert the following:

"5.1301. When any teacher retired under the former state fund, or retired under chapter 694 of the statutes of 1913 entitled "An act to provide for the payment of retirement salaries to public school teachers of this state; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, and acts amendatory thereof; or retired under chapter 166 of the statutes of 1895, entitled "An act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, of the state," approved March 26, 1895, and acts amendatory thereof; elects, by written notice to the board of retirement, to receive annually a pension equal to ----- dollars for each year of service for which he was given credit when so retired, not in excess of thirty years, such teacher shall receive such pension from and after the date upon which such notice was received by the board of retirement, to be paid out of the pension accumulation fund created by this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 49, of the printed bill, as amended in Senate March 6, 1931, strike out the word "fund", and insert in lieu thereof the word "act".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 22, of the printed bill, as amended in Senate March 6, 1931, after the word "absent", insert the following: "from service".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 41, of the printed bill, as amended in Senate March 6, 1931, strike out the word "or", and insert in lieu thereof the word "where".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, line 14, of the printed bill, as amended in Senate March 6, 1931, after the period insert the following: "In calculating prior service, teachers in the state teachers colleges or other state supported institutions, excepting those teachers in the University of California who are not included as members under the former state fund, who have been teaching without certificates or state credentials since January 1, 1924, may claim credit for services for the part of that time during which they have contributed toward the retirement fund established under the former state fund."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 7, line 15, of the printed bill, as amended in Senate March 6, 1931, beginning in said line 15, strike out the following: "elected by the people of the State of California".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 10, line 20, of the printed bill, as amended in Senate March 6, 1931, after the word "established", insert the following: "or retired under chapter 694 of the statutes of 1913, entitled "An act to provide for the payment of retirement salaries to public school teachers of this state; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, and acts amendatory thereof, or retired under chapter 166 of the statutes of 1895, entitled "An act to create and administer a public school teachers' annuity and retirement fund in the several counties and cities and counties of the state," approved March 26, 1895, and acts amendatory thereof."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 16, line 40, of the printed bill, as amended in Senate March 6, 1931, beginning in said line 16, strike out the word "employers", and insert in lieu thereof the following: "State of California".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 17, line 17, of the printed bill, as amended in Senate March 6, 1931, strike out the word "accumulated", and insert in lieu thereof the word "accumulation".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 19, line 17, of the printed bill, as amended in Senate March 6, 1931, strike out the word "for", and insert in lieu thereof the word "from".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 23, line 5, of the printed bill, as amended in Senate March 6, 1931, strike out the first word "the".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 23, line 8, of the printed bill, as amended in Senate March 6, 1931, strike out the third word "the".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 23, line 15, of the printed bill, as amended in Senate March 6, 1931, strike out the number "5.1451", and insert in lieu thereof the number "5.1431".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Education.

Senate Bill No. 292—An act to amend sections 4.1001, 4.1022, 4.1024, 4.1026, 4.1091, 4.1113, 4.1118, 4.1211, 4.1233, 4.1238, 4.1301, 4.1323 and 4.1325 of the School Code, relating to bonds of school districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, following the word "interest", insert the following: "or a maximum rate of interest to be paid, not in excess of ----- per cent,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, following the period, add the following: "All premium and accrued interest received must be paid into the fund to be used for the payment of principal of and interest on said bonds."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed bill, following the word "interest", insert the following: "or a maximum rate of interest to be paid".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 32, of the printed bill, following the period, add the following: "All premium and accrued interest received must be paid into the fund to be used for the payment of principal of and interest on said bonds."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 42, of the printed bill, following the word "interest", insert the following: "or a maximum rate of interest to be paid".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 8, of the printed bill, following the period, add the following: "All premium and accrued interest received must be paid into the fund to be used for the payment of principal of and interest on said bonds."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 18, of the printed bill, following the word "interest", add the following: "or a maximum rate of interest to be paid."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Education.

Senate Bill No. 74—An act to add section 24a of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to chairmen of county central committees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 232—An act to add sections 4a, 4b, 4c, 4d, 4e, 4f, 4g, 4h, 4i, 4j, and 4k, to and to amend sections 5, 7, 10, 12, and 24 of the Direct Primary Law.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 3 to 27, inclusive, strike out all of page 2, and strike out lines 1 to 25, inclusive, on page 3, and insert in lieu thereof the following:

"Sec. 4a. Political parties as herein defined may choose candidates for the nominations to all partisan offices at the primary election in the following manner:

SEC. 2. A new section is hereby added to the direct primary law to be numbered 4b, to read as follows:

Sec. 4b. Not less than seventy-five nor more than one hundred five days, before the primary election, the county central committee elected at the last general election shall meet for the purposes of selecting nominees for partisan offices in the primary election and to elect delegates to the state central convention.

SEC. 3. A new section is hereby added to the direct primary law to be numbered 4c, to read as follows:

Sec. 4c. The meeting of the county central committee shall be called by the chairman thereof by mailing a notice to each of the members of the committee, stating the place and time of the meeting. In the event of the failure of the chairman to call such meeting, the secretary of any three members of the county central committee may call the meeting.

SEC. 4. A new section is hereby added to the direct primary law to be numbered 4d, to read as follows:

Sec. 4d. The chairman of the county central committee shall conduct the meeting. If there is a vacancy in the office of chairman or any other office of the committee, immediately upon meeting, the committee shall fill all vacant offices. It shall then select candidates for the nomination for partisan offices to be filled from within the county or any part thereof. The candidates for those offices to be filled by candidates elected from more than one county shall be selected by the state central convention as hereinafter provided.

SEC. 5. A new section is hereby added to the direct primary law to be numbered 4e, to read as follows:

Sec. 4e. The county central committee at said meeting shall also elect delegates to the state central convention. The number of delegates to be elected shall be equal to twenty-five per cent of the number of members of the county central committee. The delegates so selected shall be certified by the chairman of the county central committee and attested by the secretary thereof.

SEC. 6. A new section is hereby added to the direct primary law to be numbered 4f, to read as follows:

Sec. 4f. After the selection of delegates to the state central convention by the respective county central committees and not less than sixty, nor more than seventy-five days, before the primary election, the state central convention shall meet in the city of Sacramento for the purpose of selecting candidates for partisan offices for the state at large, and for all partisan offices not selected by the county central committee. Only those delegates certified by the county central committees shall be entitled to participate in the state central convention.

SEC. 7. A new section is hereby added to the direct primary law to be numbered 4g, to read as follows:

Sec. 4g. Upon convening, the state central convention shall organize by electing a chairman, secretary and such other officers as it may deem necessary, and thereupon it shall proceed to select candidates for all partisan offices not selected by the county central committees; but candidates for office to be voted upon a limited territory within the state, shall be voted upon only by those delegates entitled to vote within such territory.

SEC. 8. A new section is hereby added to the direct primary law to be numbered 4h, to read as follows:

Sec. 4h. All candidates selected by the county central committee or the state central convention, must be affiliated with the party selecting them. Certificates certified to and attested by the chairman and secretary of either the county central committee or the state central convention, which are filed with the secretary of state or county clerk, shall authorize and require the name of the candidate so certified to be placed upon the primary ballot in accordance with the provisions of this act.

SEC. 9. A new section is hereby added to the direct primary law to be numbered 4i, to read as follows:".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 26, of the printed bill, strike out "4k", and insert in lieu thereof the following: "4i".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 27, of the printed bill, strike out "affiliated with any political party".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, lines 28, 29 and 30, of the printed bill, strike out "at least sixty and not more than one hundred twenty days before the primary election", and insert in lieu thereof the following: "after the selection of candidates by the county central committee and state central convention".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 41, of the printed bill, strike out "12", and insert in lieu thereof "10".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 11, line 46, of the printed bill, strike out "caucus", and insert in lieu thereof the following: "party".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 12, line 44, of the printed bill, strike out "caucus", and insert in lieu thereof the following: "party".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 13, line 33, of the printed bill, strike out "13", and insert in lieu thereof: "11".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 14, line 27, of the printed bill, strike out "14", and insert in lieu thereof: "12".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 14, line 40, of the printed bill, strike out "caucus".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 15, line 18, of the printed bill, strike out "15", and insert in lieu thereof: "13".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 16, line 6, of the printed bill, strike out "caucus", and insert in lieu thereof the following: "party".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On the ballot attached to the printed bill, strike out the word "caucus", wherever it appears, and insert in lieu thereof the following: "party".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 23, line 1, of the printed bill, strike out "16", and insert in lieu thereof: "14".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Elections.

Senate Bill No. 227—An act to amend section 1188 of the Political Code, relating to independent nominations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert in lieu thereof the following:

"1188. Candidates for nonpartisan offices presidential electors, either as individuals or by group as provided in section 1197 of this code, and candidates for any public office for which no candidate has been nomi-".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, after line 18, insert the following:

"In addition to the other matter required to be set forth on the candidate's nomination paper, it must also be set forth that each signer thereof did not vote at the primary election immediately preceding at which a candidate was nominated for the public office mentioned in said nomination paper: *provided*, that this statement shall be omitted in case no candidate was nominated at said primary election for the public office mentioned in said nomination paper."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Elections.

Senate Bill No. 806—An act to amend sections 1195*b*, 1205, 1210, 1229 and 1261, of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262 of the Political Code, relating to tally lists.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the word "twenty-five", and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, lines 2, 6, 9, 11, 15, 28, 30, 48 and 52, of the printed bill, in each of said lines, strike out the word "voter", and insert in lieu thereof the word "elector".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 24, of the printed bill, insert after the word "manner", the following words: "that the number on the ballot shall appear on the outside thereof."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 33, of the printed bill, after the word "write", insert the following words: "in the ruled space".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 34, of the printed bill, strike out the words, "the word voted".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, at the end of line 34, strike out the word "or", and on line 35, the first word, "write."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 35, of the printed bill, after the word "the", and before the word "number", insert the word "line".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 36, of the printed bill, after the word "roster", strike out the period, and insert the following words: "for each elector who votes".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 37, of the printed bill, after the word "then", insert the following words: "separate the slip containing the number from the ballot."

Amendment adopted.

AMENDMENT NUMBER NINE AND ONE-HALF.

On page 2, lines 50 and 51, of the printed bill, insert the following words: "county clerk or registrar of voters of each county or city and county, or the".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 1, of the printed bill, strike out the word "twenty-five", and insert in lieu thereof the word "fifteen".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 3, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the word "ten".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, lines 5 and 12, of the printed bill, strike out the word "voter", and insert in lieu thereof the word "elector".

Amendment adopted.

AMENDMENT NUMBER TWELVE AND ONE-HALF.

On page 3, lines 8 and 9, of the printed bill, insert the following words: "county clerk or registrar of voters of each county or city and county, or the"; also in lines 13 and 14, page 3, insert the following words: "County clerk or registrar of voters of each county or city and county, or the".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 20, of the printed bill, strike out the words "and sample ballots."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, strike out all of section 4, beginning in line 27 with the words "Sec. 4", down to and including the word "votes", in line 33.
(This section has already been repealed by initiative in permanent registration bill.)

Bill read second time, ordered to print, and re-referred to Committee on Elections.

Senate Bill No. 759.—An act to amend section 71 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents, and employees and by other persons and corporations, creating the 'Railroad Commission Fund' and

appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 5, of the printed bill, strike out the following: "17a2", and insert the following: "17(a)2".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 18 to 30, both inclusive, and insert in lieu thereof the following:

"(b) If the public utility does not comply with the order for the payment of reparation within the time specified in such order, suit may be instituted in any court of competent jurisdiction to recover the same within one year from the date of the order, and not after. All complaints for damages resulting from a violation of any of the provisions of this act, including sections 13, 17(a)2, 17(b), 19 and 24, shall either be filed with the commission, or, where concurrent jurisdiction of the cause of action is vested by the constitution and laws of this state in the courts, in any court of competent jurisdiction, within one year from the time the cause of action accrues, and not after.

(c) All complaints for the collection of the lawful tariff charges, or any part thereof, of public utilities and common carriers may be filed in any court of competent jurisdiction within one year from the time the cause of action accrues and not after. The remedies in this section provided shall be cumulative and in addition to any other remedy or remedies in this act provided in case of failure of a public utility to obey an order or decision of the commission.

Provided, the provisions of subsection (b) and (c) of this section shall not be construed or operate to bar any claim or cause of action which, under the provisions of this section as it existed immediately prior to the effective date of this amendment, might have been or might be prosecuted upon complaint filed either in court or with the commission on or prior to July 1, 1932."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 323—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 47, of the printed bill, as amended in Assembly February 27, 1931, strike out "to act", and all of line 48, and insert in lieu thereof the following: "at a salary of eighteen hun-".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 9, line 8, of the printed bill, after the word "established.", insert as a new paragraph, the following:

"19. In counties of this class the presiding judge of the superior court may appoint a court interpreter, which office is hereby created. Said interpreter shall receive a salary of two hundred dollars per month in full compensation for all services rendered by him, and shall pay all fees received by him into the county treasury."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 9, line 9, of the printed bill, strike out "19", and insert in lieu thereof the following: "20".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 9 of the printed bill, strike out lines 17 to 23, inclusive.

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 324—An act to amend section 19c9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 8 and 9, of the printed bill, as amended in Assembly February 27, 1931, strike out the following: "counties of the ninth class (Orange): salaries of probation officers."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 327—An act to amend section 2322r9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, lines 8 and 9, of the printed bill, as amended in Assembly February 27, 1931, strike out the following: "counties of the ninth class: agricultural commissioner. Orange."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 328—An act to add a new section to be numbered 9a9 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the ninth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended in Assembly February 27, 1931, after "Section 1.", strike out "Act" and insert in lieu thereof "Section".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 163—An act to amend section 42s6 of the Political Code, relating to the compensation of county officers and their deputies.

assistants and employees, and of jurors in counties of the fifty-seventh class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 325—An act to amend section 16.49 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 717—An act to amend sections 4005c and 4006 of the Political Code, relating to the population and classification of counties, and declaring same an urgency measure.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bills Nos. 675 and 676 heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same were taken up for consideration.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF GOVERNOR.

In accordance with article IV, section 34, of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 675:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 14, 1931.

*To the Honorable Members of the Senate,
Sacramento, California.*

Senate Bill No. 675 provides, among other things, an appropriation to carry out the provisions of the act relative to licensing distributors, persons, firms, associations or corporations engaged in the business of distributing gasoline, distillate, and other motor vehicle fuels.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully,

JAMES ROLPH, JR., Governor of California.

Senate Bill No. 675—An act to amend the title and sections 2, 4, 5, 6, 9, 10, 12, 13, 13a and 14 of chapter 266, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," and to add thereto a new section to be numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Cloek moved to refer Senate Bill No. 675 to Senator Rochester, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 12, of the printed bill, after the word "bond", insert the following: "Should any person, firm, association or corporation applying to the state board of

equalization for a license authorizing such person, firm, association or corporation to engage in business as a distributor, so elect, the said person, firm, association or corporation so electing may, in lieu of filing a bond hereunder, establish a trust fund in any bank of good repute authorized to do business in the State of California, into which trust fund shall be paid daily upon every business day an amount equal to all license taxes accrued since the previous date of payment on account of daily distribution of motor vehicle fuel as defined in section 2, subsection (b) of this act by any person, firm, association or corporation who has so elected to establish such fund for the amount that may be due the state as provided by law. Any person, firm, association or corporation electing to establish such a fund shall notify the state board of equalization, on forms to be prescribed, prepared and furnished by said board, of such election. Said fund shall be designated as a trust fund, shall be in the name of state controller and the said trust fund when so established shall be for the sole purpose of anticipating, paying and securing the license tax of such distributor. Any distributor so availing himself of this method of payment shall make a weekly return as in the case of the distributor furnishing a bond on a weekly basis, whereupon the state controller shall draw a draft each and every week against the fund so established for an amount equal to the license tax then due and payable.

Any distributor, person, firm, association or corporation, or any officer, agent or member thereof, who fails or neglects to deposit daily in said trust fund an amount equal to the license tax as provided by law upon the distributions of motor vehicle fuel, upon every business day an amount equal to all license taxes accrued since the prior date of payment, or shall use said trust fund for any purpose other than the payment of the State of California of license taxes as provided in this section, until said license taxes have been fully paid, shall be guilty of a felony."

AMENDMENT NUMBER TWO.

On page 4, line 33, of the printed bill, after the word "undertaking", insert "or the establishment of the trust fund provided herein,".

POINT OF ORDER.

Senator Carter raised the point of order that Senator Clock had closed the argument on his motion to refer Senate Bill No. 675 to a Special Committee of One for amendment, and therefore there should be no further discussion on the amendment.

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order not well taken.

POINT OF ORDER.

Senator Inman raised the point of order that the President had already asked for the Ayes and Noes, and received the vote before the roll call was demanded.

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order not well taken.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Breed, Deuel and Young on Senator Clock's motion to refer Senate Bill No. 675 to Senator Rochester as a Special Committee of One for amendment.

The roll was called, and Senator Clock's motion to refer Senate Bill No. 675 to a Special Committee of One for amendment, lost by the following vote:

AYES—Senators Carter, Cleveland, Clock, Ingels, Inman, Rochester, and Williams—7.

NOES—Senators Allen, Baker, Breed, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Young—31.

URGENCY CLAUSE.

SEC. 18. This act, inasmuch as it provides for the levy and collection of taxes for the current expenses of the state, shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—Senators Carter, Clock, and Rochester—3.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 675 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—34.

NOES—Senators Carter, Clock, and Rochester—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF GOVERNOR.

In accordance with article IV, section 34, of the constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 676.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 14, 1931.

*To the Honorable Members of the Senate,
Sacramento, California.*

Senate Bill No. 676 provides an appropriation for a revolving fund to carry out the provisions of an act to regulate and license the business of producing, refining and distributing gasoline, distillate and other motor vehicle fuels approved May 30, 1923, as amended.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully,

JAMES ROLPH, JR., Governor of California.

Senate Bill No. 676—An act to amend "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 26, 1927, as amended.

Bill read third time.

URGENCY CLAUSE.

SEC. 18. This act, inasmuch as it provides for the levy and collection of taxes for the current expenses of the state, shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 676 passed by the following vote:

AYES—Senators Allen, Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

USE OF SENATE CHAMBER GRANTED.

Senator Slater moved that the Senate Committee on Agriculture and Live Stock be granted the use of the Senate Chamber for Monday, March 16th, at eight o'clock p.m., for a public hearing on Senate bills before the Committee on Agriculture and Live Stock.

Motion carried.

ADJOURNMENT.

At one o'clock and thirty-four minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Tuesday, March 17, 1931.

HAROLD J. POWERS, Minute Clerk

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Tuesday, March 17, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 16, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator McCormack was, on motion of Senator Slater, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Silveyville school district of Solano County, Alice Hunsberger, teacher, and pupils: Kenneth Schroeder, Lois Schroeder, Alda George and Maida Ritchey.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Joseph A. Allard of Pomona.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Magdalene F. Wanzer, chief, Bureau of Immigrant Education, San Francisco.

On request of Senator Mixter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Thos. J. Lenehan of San Francisco, president of State Pharmaceutical Association.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Judge Frank T. Deasy of the Municipal Court of San Francisco, and Jeremiah F. Collins, chief deputy clerk of Municipal Court of San Francisco.

On request of Senator Riley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to F. G. Somner, Chief Division Engineer, of Bishop, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Lucille Stewart of Oakland, daughter of Hon. Fred Stewart of State Board of Equalization.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. B. P. Brodie, mother of Senator Tallant Tubbs.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for this day was unanimously extended to R. M. Dorton, county manager, and Chas. Brown, secretary, chamber of commerce of Monterey.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Attorney General U. S. Webb.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Land School; teacher, Irene Clark and pupils as follows: Leanor Gomes, Thelma Meduros, Robert Jamison, Elmer Nevis, Dorothy Nyberg, Naomi Alderson, La Rue Stewart, Alice Maria, Emilie Laehmann, Henrietta Barragan, Helen Arzig, Adeline Morand, Evelyn Bower, Elie Skonfis, Harold Kiel, Kiyoshi Kumagai, Thomas Nelson, Andrew Van Horn, Louis Jurach, Louis Anzore, Richard Louie, Oliver Swanson, Tony Puente, Albert Lazzarone, Jack Hateley, Donald Jones, John Flink, and George Valine.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sister Rose Emanuella and Sister Teresa Maria of the Holy Names' High School, Oakland,

California, and pupils as follows: Betty Abbot, Esther Marie Asturias, Marie Ayers, La Nelle Ayrees, Jeanette Barieau, Dorothy Berg, Paula Bradshaw, Marion Condit, Alberta Conneau, Margaret Corcoran, Angela Davis, Isabel Deeds, Jeanne Devereux, Mary Agnes Dougherty, Barbara Druicks, Elizabeth Dunn, Donna Epperson, Emily Fernandes, Margaret Mary Fleitz, Lorraine Franck, Rose Adelle Gianella, Barbara Gross, Lois Hawley, Mary Hennessy, Louise Jeschien, Mary La Berge, Kathryn McCarthy, Margaret McLean, Mary Murphy, Geraldine Noble, Jeanne Sanders, Barbara Ann Schuyler, Bernadette Soares, Veronica Wilcox, Katherine Wittschen, and Florence White.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 744—An act to amend the California Irrigation District Act by adding thereto a new section to be numbered 48a, relating to clearing the title to land sold to the district for delinquent assessments;

Also: Assembly Bill No. 1622—An act to amend section 19r5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class;

Also: Assembly Bill No. 525—An act to add a new section to the School Code to be numbered 4.353, relating to orders upon school district funds;

Also: Assembly Bill No. 1229—An act to amend sections 3.441 and 3.620 of the School Code and to repeal sections 3.442, 3.443, 3.444, 3.445, 3.446 thereof, relating to the furnishing of instruction to physically handicapped children.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 744 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1622 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 525 and 1229 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 925—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 925 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 451—An act to add a new section, to be numbered section 5a, to chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, providing for the payment of undisputed wage claims without condition, within the time prescribed by the said law, leaving to the worker all remedies he may be entitled to as to any additional balance he may claim;

Also: Assembly Bill No. 1792—An act to amend section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class;

Also: Assembly Bill No. 1264—An act to repeal section 4.921 of the School Code, relating to the counting of attendance of pupils in part-time vocational work;

Also: Assembly Bill No. 1265—An act to repeal section 4.32 of the School Code, relating to annual estimates of amounts of State funds necessary for the support of high schools;

Also: Assembly Bill No. 743—An act establishing and validating the organization and existence of irrigation districts;

Also: Assembly Bill No. 957—An act to repeal chapter 264 of the Statutes of 1905, approved March 18, 1905, as amended, entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a Forestry Fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor."

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 451 read first time, and referred to Committee on Labor and Capital.

Assembly Bill No. 1792 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 1264 and 1265 read first time, and referred to Committee on Education.

Assembly Bill No. 743 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 957 read first time, and referred to Committee on Conservation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1609—An act to add a new section, to be numbered 9a54, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class;

Also: Assembly Bill No. 531—An act authorizing the Director of the Department of Finance to lease certain lands situated in Siskiyou County;

Also: Assembly Bill No. 700—An act to amend the title of and to revise chapter 448, Statutes of 1929, entitled "An act to provide relief for owners of crops damaged by protected game animals," approved May 24, 1929, limiting the operation of this act to deer and providing an alternative method for the issuance of permits for taking deer destructive to crops;

Also: Assembly Bill No. 450—An act to amend section 8, of chapter 202, Statutes of 1919, entitled "An act to regulate the payment of wages or compensation for labor or service in private employments, establishing regular pay days, providing penalties for the violation of its provisions, authorizing the Commissioner of the Bureau of Labor Statistics to enforce this act, defining the duties of district attorneys relative to its enforcement, providing for the collection of certain penalties by civil action at the direction of said commissioner and for the disposition of penalties so collected; repealing an act entitled 'An act providing for the time of payment of wages,' approved May 1, 1911, as amended April 28, 1915, and repealing an act entitled 'An act to regulate the payment of wages or compensation of employees in private employments; to provide for regular pay days in such employments; providing a penalty for the violation thereof; and authorizing the Commissioner of the Bureau of Labor Statistics to enforce the provisions of this act,' approved June 8, 1915," approved May 6, 1919, as amended, relating to the enforcement of the act and permitting individual actions for wages and penalties.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1609 read first time, and referred to Committee on County Government.

Assembly Bill No. 531 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 700 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 450 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1608—An act to amend section 4283 of the Political Code, relating to compensation of county and township officers in the counties of the fifty-fourth class;

Also: Assembly Bill No. 1054—An act to amend section 1, as amended, of the act entitled "An act to make available for the use of the United States government suitable places in this State for the public defense, and for that purpose authorizing any county or municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereon, acquire by condemnation or otherwise land within the county or municipal corporation, and in consideration of the benefits to be derived therefrom by such county or municipal corporation to convey the same to the United States; conferring on such counties and municipal corporations the power of eminent domain for the purposes of this act, and providing the procedure therefor; granting the consent of the State to such conveyance, and ceding exclusive jurisdiction to the United States over the lands so conveyed," approved May 27, 1921, by conferring on any county, city and county, or municipal corporation now or hereafter organized, the power to acquire land within or without the county, city and county, or municipal corporation, and to convey the same to the United States;

Also: Assembly Bill No. 555—An act to amend section 413 of the Code of Civil Procedure, relating to the publication of summons;

Also: Assembly Bill No. 763—An act to add section 3a and to amend section 5 of chapter 176, Statutes of 1919, entitled "An act to provide for the prevention and suppression of forest fires," approved May 2, 1919, as amended, relating to the appointment, powers, and duties, of voluntary fire wardens;

Also: Assembly Bill No. 287—An act to amend sections 3746 and 3756 of the Political Code, relating to tax collector's notice that taxes are due and fixing date of delinquency.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1608 read first time, and referred to Committee on County Government.

Assembly Bill No. 1054 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 555 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 763 read first time, and referred to Committee on Conservation.

Assembly Bill No. 287 read first time, and referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, school districts and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect them against such liability, and repealing chapter 328, Statutes of 1923, entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances, approved June 13,

1923," limiting the liability of municipalities, counties, cities and counties, school districts, or other public or quasi public corporations for the negligence of their respective officers in certain instances;

Also: Senate Bill No. 74—An act to add section 24a to chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23 and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to chairmen of county central committees;

Also: Senate Bill No. 167—An act to amend section 498 of the Civil Code, relating to construction of street railway tracks;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 172—An act to amend the California Irrigation District Act by adding a new section thereto to be numbered 47a, relating to partial redemption of land sold for delinquent assessment;

Also: Senate Bill No. 235—An act to amend section 626o of the Penal Code, relating to the protection of fish and game;

Also: Senate Bill No. 302—An act to add a new section to the Penal Code, to be numbered 496c, relating to the theft of the contents of any private and unpublished paper, book or record containing information relating to the title to real property;

Also: Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers;

Also: Senate Bill No. 561—An act to amend sections 224, 224m, 226 and 227 of the Civil Code, relating to adoption;

Also: Senate Bill No. 567—An act to amend section 538 of the Civil Code, relating to malicious injury to telegraph, telephone, electric power and gas property;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability, and repealing chapter 360, Statutes of 1919, entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," relating to the liability in damages of the officers of districts, towns, cities and counties, counties, and of the State of California;

Also: Senate Bill No. 560—An act to amend sections 15 and 15a of the Juvenile Court Law, relating to persons free from parental control and citations to be served in proceedings under the act;

Also: Senate Bill No. 772—An act to amend section 21, chapter 914, Statutes of 1921, known as California Water Storage District Act, approved June 3, 1921, as amended, relating to the collection of unpaid assessments, the sale of property for delinquent assessments and the redemption of said property;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 817—An act to amend section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," approved May 25,

1923, as amended, relating to bridge and highway districts; and declaring this act to be an urgency measure:

Also: Senate Joint Resolution No. 7—Relative to establishment of a State Prison in one of the southern counties of the State of California;
And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

ON REAPPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 169—An act to amend section 78 of the Political Code, relating to senatorial and assembly districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15.

McKINLEY, Chairman.

Senate Bill No. 169 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to congressional districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—15.

McKINLEY, Chairman.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED SIXTY-EIGHT.

Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to congressional districts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, strike out "first," and insert in lieu thereof the following: "The counties of Del Norte, Humboldt, Mendocino, Glenn, Butte, Yuba, Sutter, Marin, Colusa, Lake, Sonoma, and Yolo, shall constitute the first congressional district.

2. The counties of Siskiyou, Modoc, Trinity, Shasta, Lassen, Tehama, Plumas, Sierra, Nevada, Placer, El Dorado, Amador, Calaveras, Alpine, Tuolumne, Mariposa, Mono and Inyo shall constitute the second congressional district.

3. The counties of Napa, Sacramento, Solano and San Joaquin shall constitute the third congressional district.

4. All that portion of the city and county of San Francisco comprising the twentieth, twenty-first, twenty-second, and twenty-third assembly districts, as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the fourth congressional district.

5. All that portion of the city and county of San Francisco not included in the fourth congressional district shall constitute the fifth congressional district.

6. All that portion of the county of Alameda not included in the seventh congressional district and the county of Contra Costa shall constitute the sixth congressional district.

7. All that portion of the county of Alameda comprising the thirteenth, fourteenth, fifteenth and sixteenth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the seventh congressional district.

8. The counties of San Mateo, Santa Clara, Santa Cruz, San Benito and Monterey shall constitute the eighth congressional district.

9. The counties of Kings, Stanislaus, Merced, Madera and Fresno shall constitute the ninth congressional district.

10. The counties of Tulare, Kern, San Luis Obispo, Santa Barbara and Ventura shall constitute the tenth congressional district.

11. All that portion of the county of Los Angeles comprising the sixty-seventh, seventieth, sixty-eighth, and fifty-second assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the eleventh congressional district.

12. All that portion of the county of Los Angeles comprising the fiftieth, fifty-first, forty-sixth and forty-ninth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the twelfth congressional district.

13. All that portion of the county of Los Angeles comprising the forty-eighth, forty-seventh, forty-third and forty-second assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the thirteenth congressional district.

14. All that portion of the county of Los Angeles comprising the forty-first, fifty-third, sixty-seventh and sixty-sixth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the fourteenth congressional district.

15. All that portion of the county of Los Angeles comprising the sixtieth, sixty-first, fifty-ninth and fifty-seventh assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the fifteenth congressional district.

16. All that portion of the county of Los Angeles comprising the fifty-eighth, sixty-third, sixty-fourth and sixty-fifth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the sixteenth congressional district.

17. All that portion of the county of Los Angeles comprising the fifty-fifth, forty-fourth and sixty-second assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the seventeenth congressional district.

18. All that portion of the county of Los Angeles comprising the fifty-sixth, fifty-fourth and forty-fifth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the eighteenth congressional district.

19. The counties of Orange, Riverside and San Bernardino shall constitute the nineteenth congressional district.

20. The counties of San Diego and Imperial shall constitute the twentieth congressional district."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Reapportionment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read :

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Bill No. 359 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 595—An act to amend section 6944 of the Political Code, relating to the State Board of Agriculture—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—12; absent—1.

DUVAL, Chairman.

Assembly Bill No. 595 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 472—An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts

therein specified—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—12; absent—1.

DUVAL, Chairman.

Senate Bill No. 472 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing, to which was referred Assembly Bill No. 1184—An act to provide for the compilation of, printing, binding, publishing, and distribution of a legislative manual or handbook, and to repeal all acts in conflict herewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5.

(Signed out)

RILEY, Chairman.

CASSIDY.

DEUEL.

INGELS.

WILLIAMS.

Assembly Bill No. 1184 ordered on file for second reading.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 678—An act to provide for the regulation of private carriers for hire upon the highways of this State outside of incorporated cities and counties, cities and towns; to require the licensing of such carriers by the Department of Motor Vehicles and granting the Department of Motor Vehicles the right to prescribe the terms and conditions for the granting of such license;

Also: Senate Bill No. 283—An act to amend section 44 of the California Vehicle Act, relating to the registration of vehicles;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—13; absent—3.

BAKER, Chairman.

Senate Bills Nos. 678 and 283 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 169—An act to amend section 900 of the Code of Civil Procedure, relating to the lien of judgments rendered in justices' courts;

Also: Assembly Bill No. 399—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents;

Also: Assembly Bill No. 962—An act to amend section 818 of the Penal Code, relating to the issuance of warrants;

Also: Assembly Bill No. 963—An act to amend section 1600 of the Penal Code, relating to the confinement of prisoners by the sheriff;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—9; absent—7.

CHRISTIAN, Chairman.

Assembly Bills Nos. 169, 399, 962 and 963 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1176—An act to amend section 820 of the Penal Code, relating to warrants of arrest;

Also: Assembly Bill No. 1358—An act to amend section 542 of the Code of Civil Procedure, relating to the method of levying an attachment upon real or personal property;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership 16; committee vote: Ayes 9; absent 7.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1176 and 1358 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 553—An act to amend subdivision (c) of section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, with respect to limitations of time for instituting proceedings for the collection from an employer of additional compensation;

Also: Senate Bill No. 554—An act to amend subdivision (d) of section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by permitting decision on rehearing after 245 weeks from date of the injury;

Also: Senate Bill No. 555—An act to amend subdivision (c) of section 27 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by extending the limitation of time for the filing of proceedings for compensation where a release or compromise agreement has not been approved by the commission;

Also: Senate Bill No. 557—An act to amend subdivision (a) of section 64 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that each party to a proceeding shall have the separate right to petition for a rehearing;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—9; absent—7.

CHRISTIAN, Chairman.

Senate Bills Nos. 553, 554, 555 and 557 ordered on file for second reading.

REPORT OF SPECIAL COMMITTEE.

The following report of Special Committee was received:

MR. PRESIDENT: Your Special Committee appointed to confer with members of the Assembly with a view to determining upon a time and place for the members of the Legislature to assemble to be addressed by U. S. Senator Hiram W. Johnson, begs leave to report that we have conferred with members of the Assembly and respectfully recommend that Senator Johnson be invited to address us on the afternoon of Wednesday, March 25, at the hour of two o'clock and thirty minutes p.m., in the Assembly Chamber before a joint session of the Senate and Assembly.

ROCHESTER, Chairman.

INGELS.

INMAN.

Report read, and on motion of Senator Rochester, seconded by Senator Breed, adopted.

AMENDMENTS TO SENATE RULES.

Senator Breed moved, seconded by Senator Allen, that the amendments to the Standing Rules of the Senate, as printed in the Senate Journal of March 16, be adopted.

AMENDMENTS TO SENATE RULES.

Resolved, That Rule No. 8 and Rule No. 31 of the Standing Rules of the Senate be and the same are hereby amended to read as follows:

8. The following standing committees shall be appointed by the President of the Senate:

1. Agriculture and Live Stock, thirteen members.
2. Banking, nine members.
3. Building and Loan, eleven members.
4. Commerce and Navigation, nine members.
5. Conservation, seven members.
6. Constitutional Amendments, nine members.
7. Contingent Expenses, three members.
8. County Government, nine members.
9. Drainage, Swamp and Overflowed Lands, five members.

10. Education, fourteen members.
11. Elections, eleven members.
12. Engrossment, Enrollment and Printing, five members.
13. Federal Relations, five members.
14. Finance, eighteen members.
15. Fish and Game, sixteen members.
16. Governmental Efficiency, eleven members.
17. Hospitals and Asylums, six members.
18. Insurance, eleven members.
19. Irrigation, seven members.
20. Judiciary, seventeen members.
21. Labor and Capital, nine members.
22. Military Affairs, eleven members.
23. Mines and Mining, five members.
24. Motor Vehicles, seventeen members.
25. Municipal Corporations, ten members.
26. Oil Industries, eight members.
27. Prisons and Reformatories, seven members.
28. Public Charities, five members.
29. Public Health and Quarantine, seven members.
30. Public Morals, five members.
31. Public Utilities, eleven members.
32. Reapportionment, fifteen members.
33. Revenue and Taxation, thirteen members.
34. Revision of Criminal Law and Procedure, nine members.
35. Roads and Highways, fourteen members.
36. Rules, five members.
37. Universities and Teachers Colleges, nine members.

31. When amendments to a bill are reported by a committee, offered from the floor or submitted by a Special Committee of One, such amendments shall be submitted in triplicate, two copies to go to the Secretary of the Senate and one to the Minute Clerk. No amendment is in order that presents to the Senate practically a question that has already been decided: *provided, however*, that the foregoing shall not apply to amendments presented by a committee at the request of the author for the purpose of having a bill printed in completed form for further consideration, by such committee.

The question being on the adoption of the amendments.

The roll was called, and the amendments adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Donel, Duval, Edwards, Evans, Fellom, Harper, Hay, Ingels, Inman, Jones, Maloney, Mixer, Moran, Nelson, Podroeti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wag, Williams, and Young. 56

NOES—None.

APPOINTMENTS ON STANDING COMMITTEES.

The President announced the new appointments on standing committees, as follows:

Hospitals and Asylums—T. E. Treacy.

Motor Vehicles—T. E. Treacy.

Roads and Highways—T. E. Treacy.

Municipal Corporations—T. E. Treacy.

Oil Industries—Ralph H. Clock.

Fish and Game—Ralph H. Clock.

Finance—Ralph H. Clock.

Education—Ralph H. Clock.

Judiciary—Ralph H. Clock.

Motor Vehicles—Ralph H. Clock.

Revision of Criminal Law and Procedure—Ralph H. Clock.

The President announced that Senator Clock had been placed on the Committee on Revision of Criminal Law and Procedure, in place of Senator Baker.

PRESENTATION OF SHILLALAIL.

Senator T. E. Treacy of San Francisco arose and on behalf of the South of Market Boys of San Francisco presented Senator Thomas A. Maloney, president of the South of Market Boys, with a shillalah.

Senator Maloney accepted the shillalah presented by Senator Treacy, and being called upon by the President of the Senate to deliver an address in commemoration of St. Patrick, delivered the following address to the Senate in commemoration of St. Patrick:

ADDRESS OF SENATOR THOMAS A. MALONEY.

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: I appreciate your kindness, Mr. President, for calling on me this day to speak in commemoration of the patron saint of Ireland, St. Patrick. I must confess, however, to you, gentlemen of the Senate, that I, along with seventeen other brothers and sisters, twelve of whom are now living, was born in this great State of California; but my dear father and mother, whom I owe so much to, were born near the city of Dublin, County Kildare, so therefore whatever I may say here today about St. Patrick is what I have learned through Irish parents and those of Irish parentage, whom on many occasions I have had the pleasure to associate with.

Today throughout the entire world the Feast of St. Patrick is celebrated. To my knowledge, and as near as I can learn, there is a question just where St. Patrick was born. I am positively sure, however, that his ancestors were French. History informs us that Patrick died when he was 100 years old in the year 473, which would indicate he was born in the year 373.

In the year 385 St. Patrick was captured by the Irish Kelts who at that time invaded England. In the darkness of the night he escaped and made his way to Galway Bay and embarked to return home to his own people in France. After years of study, Patrick was commissioned to go to Ireland and Christianize the Irish people, who were at that time suffering persecution by the Druid priests. His task was hard and his trials and tribulations many. His home was the mountainside, his clothes were made of wool from sheep, and for a pillow he used a hard stone, and all to fulfill his mission in Ireland to Christianize this persecuted race and help to relieve the many hardships they were enduring at that time.

From the hills of Tara, Patrick could see the feast of the Druid priests being celebrated, and knowing well in his heart that during this celebration no fires were permitted, he disobeyed this rule and made a fire on the hillside. The king, seeing the fire, ordered the culprit, Patrick, brought in, which was done, and upon questioning by the king, Patrick was asked whom he represented, and he stated, the Holy Trinity, explaining to the king just who the Holy Trinity were. Patrick converted the king and his wife and those at the feast, and was then given permission to preach to the Irish people, which he did, and did well, for it was not long after that monasteries and churches were built in Ireland to carry on his work, and which to this day is carried on by the Irish people.

In the seventh century, Alaric conquered Rome and destroyed the Roman Empire, and it was at that time that the Middle or Dark Ages began and lasted until the twelfth century. When the civilization of the world was destroyed by the German invasion of the Roman Empire, it was the civilized Ireland, educated by Patrick, whose teachings brought back education and civilization to the entire world and has to this day advanced its educational facilities to the high standards that it now enjoys. In those days with the very fervent kiss of a loving mother on the cheek of her child, the respect was instilled into the hearts of the children of Ireland, and this respect has to this day played its most important part in bringing the highest standards of decency and education throughout the entire world. The Irish people who came to America have contributed to this country loyalty and good citizenship, and in all the important walks of life in this great United States, the sons and daughters and those of Irish parentage show their allegiance to the American Flag. Although persecuted to the very depths of persecution, Irish mothers shared equally the hardships endured by those who were struggling in this fight for independence.

The strong attributes displayed by Patrick instilled into the hearts and the minds of the Irish people determination and courage, and that determination and courage has played its most important part in the building up not only of Ireland but nearly all of the nations of the world, because no matter where you may go, you will find Irish people.

Ireland, through the efforts of St. Patrick, has more than contributed its share to this nation, not only on the battlefields, when this country was at war, but on all other occasions when her sons and daughters were called upon. If we trace back our history just a little we will find that General Montgomery, a son of Ireland, took part in the Revolutionary War; that Admiral Barry, another son of Ireland, was the first Admiral of the American Navy, and in the Civil War, Thomas Francis Mahan was commander of the Irish Brigade.

In closing, on behalf of the Irish people of the State of California, I wish to extend to the members of this Senate my sincere thanks and appreciation for the courtesy shown, in granting me the privilege of expressing to you the gratitude of the Irish people, and their descendants.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 286 heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 286 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, as amended March 12, 1931, strike out the word "Shasta", and insert in lieu thereof the following: "salmon".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 286, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator Nelson, the Secretary was directed to issue a rush order for printing Senate Bill No. 286.

SPECIAL ORDER.

Senator Nelson moved that Senate Bill No. 286 be made a special order for March 18, 1931, at eleven o'clock and thirty minutes a.m.

Motion carried.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 409—An act to amend sections 1, 9 and 13 of chapter 426, Statutes of 1915, entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to license fees and the issuance, suspension and revocation of licenses.

Bill read third time.

URGENCY CLAUSE.

SEC. 3. Inasmuch as this act concerns and is necessary to the immediate preservation of the public health and safety, for the reason that it is imperative, at the earliest possible date, to provide adequate funds for the functioning of the Board of Dental Examiners of California, the present funds being nearly depleted, and the existing rate of annual fee for that purpose being inadequate, the rate in this act fixed, if made effective prior to May 1, 1931, will make possible the accomplishment of the intended object, this act shall take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—36.

NOES—Senator Rochester—1.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 409 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—35.

NOES—Senator Rochester—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 7.

Relative to establishment of a State prison in one of the southern counties of the State of California.

WHEREAS, The present State prisons located at San Quentin and Folsom are insufficient in size and inadequate in equipment to properly care for the large influx of prisoners; and

WHEREAS, Said influx of prisoners is annually increasing; and

WHEREAS, The transportation of such prisoners sentenced from the southern counties of this State to and from said prisons is a difficult and hazardous task; and

WHEREAS, The transportation of prisoners sentenced from the southern counties in this State is expensive and imposes an undue burden upon the taxpayers of this State; and

WHEREAS, A committee of the Legislature appointed pursuant to resolution of the Legislature adopted at the forty-seventh session thereof, was, by Senate Concurrent Resolution No. 28, session of 1929, directed to continue its work of investigating the aforementioned matters; and

WHEREAS, The work of said committee is as yet unfinished and it is necessary and proper that its work be continued to completion and that further report of its findings be submitted to the Legislature; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the committee of the Legislature appointed at the forty-seventh session and continued in existence at the forty-eighth session thereof for the purpose of investigating the advisability of locating a State prison in one of the southern counties of the State and recommending to the Legislature a suitable location therefor, and to estimate the cost of construction thereof, and other related matters, is continued in full force and effect for the purpose of completing its work, reporting its findings to the Legislature, collaborating with State officials in respect to the subject matter of this resolution, and of approving the site to be selected for the State prison mentioned in chapter 684 of the Statutes of 1929; and the positions of all of the members of said committee are continued in full force and effect except that the member of the Assembly from the Twenty-fifth Assembly District is hereby appointed as a member of said committee to fill a vacancy therein and the member of the Senate from the Ninth Senatorial District is hereby appointed as a member of said committee to fill the other vacancy therein; and be it further

Resolved, It is the intent of the Legislature that the commission and the Legislative Committee work together toward the selection of a site for the State penitentiary, said commission having been created by the provisions of chapter 684 of the Statutes of 1929, and that the commission and Legislative Committee hereby continued in force jointly select the site for said prison to be purchased by the State; and be it further

Resolved, That it is the desire of the Legislature that such site be selected, if possible, within sixty days after the adjournment of the present session of the Legislature, and in the event such site shall not have then been selected, such Legislative Committee shall make and file with the Governor its report setting forth all desirable sites considered by said committee; nothing in this resolution contained shall be construed as in anywise limiting or restricting the powers conferred upon the commission by said chapter 684; and be it further

Resolved, That if the said commission and committee do not select a site for said prison within sixty days after the adjournment of the present session of the Legislature, a committee is hereby appointed consisting of the Speaker of the Assembly,

and the President of the Senate, of the forty-ninth session of the Legislature, and the Director of Public Institutions, to jointly, with the said commission, select the site for said prison.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 7 adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Senate Concurrent Resolution No. 7 ordered transmitted to the Assembly.

Senate Bill No. 691—An act to amend chapter 379, Statutes of 1915, entitled "An act to divide the State of California into fish and game districts and to repeal an act entitled 'An act to divide the State of California into six fish and game districts,' approved March 21, 1911, and all acts or parts of acts inconsistent herewith."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 691 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 282—An act to regulate the construction and maintenance of auto camps in unincorporated areas; to provide for the inspection and supervision of the same; to provide for the abatement thereof in certain cases; to provide penalties for the violation of the provisions hereof and to repeal chapter 615, Statutes of 1929, entitled "An act to regulate the construction and maintenance of auto camps in unincorporated areas, to provide for the inspection and supervision of same and to provide penalties for the violation of the provisions thereof," approved May 31, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 282 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Christian, Clock, Crittenden, Denel, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 56—An act to add two new sections to the Penal Code, to be numbered 597*h* and 597*i*, relating to the cropping of the ears of dogs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 56 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Williams, and Young—26.

NOES—Senators Ingels, Rich, Tubbs, and Waggy—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 76—An act to add a new section to the Code of Civil Procedure, to be known as section 170*b*, relating to justices of the peace, police court judges and city recorders.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 76 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—32.

NOES—Senator Carter—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 196—An act to add new sections numbered 5*b* and 5*c* to and to amend section 10 of the Narcotic Rehabilitation Act, relating to commitment, transfer, discharge or return of patients to or from the State Narcotic Hospital.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 196 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 16, 1931, passed Assembly Bill No. 1087—An act to add to the Penal Code a new section numbered 438, relating to taxation of transportation companies and passenger stage corporations;

Also: Assembly Bill No. 1506—An act to amend section 5 of chapter -----, Statutes of 1923, entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent therewith," approved May 23, 1923, relating to duties of State Fire Marshal;

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1087 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1506 read first time, and referred to Committee on Insurance.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 895—An act to amend section 2 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms, capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any such weapons by certain classes of persons; to prescribe penalties for violations of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, as amended, relating to the possession by aliens, felons and narcotic addicts;

Also: Assembly Bill No. 1624—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class;

Also: Assembly Bill No. 1049—An act to amend section 17144 of the Civil Code, relating to negligence on the part of State officers, agents and employees of the State, counties, cities and counties, municipal corporations, the State Compensation Insurance Fund, irrigation districts, school districts, districts established by law and political subdivisions of the State, and authorizing the issuance of insurance covering such liability;

Also: Assembly Bill No. 1804—An act to amend section 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class;

Also: Assembly Bill No. 1824—An act to amend section 2322x21 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-first class;

Also: Assembly Bill No. 1619—An act to amend section 2322x5 of the Political Code, relating to the office of agricultural commissioner in counties of the fifth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 895 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 1624 read first time, and referred to Committee on County Government.

Assembly Bill No. 1049 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1804, 1824 and 1619 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1689—An act to amend sections 69 and 154 of the California Vehicle Act, approved May 30, 1923, relating to vehicles:

Also: Assembly Bill No. 365—An act to amend sections 4 and 5 of chapter 652, Statutes of 1921, entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921:

Also: Assembly Bill No. 901—An act to amend section 197 of the Penal Code, defining justifiable homicide:

Also: Assembly Bill No. 1131—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section thereto, designated section 15e, relating to the powers of the board of directors:

Also: Assembly Bill No. 651—An act to amend section 11 of chapter 387, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, relating to sale of the title to lands in such water districts of which the district was purchaser at a delinquent tax sale.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1689 read first time, and referred to Committee on Motor Vehicles.

Assembly Bills Nos. 365 and 901 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1131 and 651 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 171—An act to require the director of the Department of Natural Resources to register and mark buildings of historical interest, or landmarks:

Also: Assembly Bill No. 655—An act to add a new section to the Political Code, to be numbered 2545a, relating to the compensation of employees of railroads controlled by the Board of State Harbor Commissioners.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 171 read first time, and referred to Committee on Conservation.

Assembly Bill No. 655 read first time, and referred to Committee on Public Utilities.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 334—An act to amend section 4241 of the Political Code, relating to compensation of officers and employees in counties of the fifteenth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 334 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 12—Relating to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Concurrent Resolution No. 12 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 46—An act establishing certain additional State highways and classifying them as secondary highways:

Also: Senate Bill No. 493—An act to amend section 1 of chapter 234, Statutes of 1913, entitled "An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose," approved June 5, 1913, Statutes of 1913, page 388, to authorize counties, cities and counties and cities to acquire property to be granted to the State of California by purchase or proceedings in eminent domain;

Also: Senate Bill No. 198—An act to repeal section 32½ of the California Irrigation District Act, relating to election on sale of bonds at less than par;

Also: Senate Bill No. 199—An act repealing chapter 289, Statutes of 1919, entitled "An act to authorize irrigation districts to refund outstanding bonded indebtedness," approved May 25, 1919;

Also: Senate Bill No. 202—An act to amend section 39 of the California Irrigation District Act, relating to the levying of assessments;

Also: Senate Bill No. 203—An act to amend section 6 of the California Irrigation District Act, relating to election on organization;

Also: Senate Bill No. 200—An act to repeal chapter 254, Statutes of 1897, entitled "An act to provide for the issue and sale or exchange of funding bonds of irrigation districts organized under and in pursuance of an act of the Legislature of the State of California entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other property and for the distribution of water for irrigation purposes,' approved March 7, 1887, to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 46, 493, 198, 199, 202, 203 and 200 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 278—An act to repeal chapter 341, Statutes of 1919, entitled "An act to be known as the California Irrigation Act, providing for cooperation between the State of California and the United States, and independent proceedings, in the storage and diversion of water, the distribution thereof for irrigation and other beneficial uses and purposes, the generation and manufacture of electric power; creating an Irrigation Board, and providing for the formation of irrigation districts and conservation districts, and the conservation of irrigation districts, reclamation districts, drainage districts and other political subdivisions of the State organized for the purpose of promoting irrigation, reclamation and drainage, into irrigation districts under this act; and empowering said Irrigation Board to make and approve contracts and agreements, to construct reservoirs and other works, divert, distribute and sell water and lease and sell water rights, and generate, lease and sell electric power, to apportion to the constituent units of conservation districts the water and electric power to be produced and generated by conservation district works, to levy assessments, and issue bonds of irrigation districts and conservation districts; providing for the management, control and supervision of such irrigation

districts and conservation districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; and generally providing a policy relating to the storage, diversion and use of the water and the manufacture or generation of electric power, and adopting a plan for providing revenues therefor; and repealing the California Irrigation Act approved June 4, 1915, and chapter 646 of the Statutes of 1917, approved May 28, 1917, amendatory thereof," approved May 16, 1919.

ARTHUR A. O'HINIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 278 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 34—An act to amend chapter 592, Statutes of 1913, entitled "An act to provide for the incorporation and organization and management of county water districts, and to provide for the acquisition of water rights or construction thereby of water works and for the acquisition of all property necessary therefor, and also to provide for the distribution and sale of water by said districts," approved June 10, 1913, by amending section 2 of said act relative to the formation of districts organized thereunder and by amending sections 20 and 21 of said act relative to the levy and collection of taxes in such districts;

Also: Senate Bill No. 35—An act to validate all proceedings for the issuance of bonds and all bonds heretofore issued or sold or to be issued or sold by any county water district, providing for the application of the proceeds of sale of such bonds and authorizing and directing the levy and collection of a tax sufficient to pay the principal and interest thereof;

Also: Senate Bill No. 36—An act confirming, ratifying and declaring valid the formation and organization of Castro Valley county water district and also all of the acts and proceedings of said district;

Also: Senate Bill No. 37—An act to amend sections 65, 8, 9, 10, 11, 18, 20 and 23 of chapter 218, Statutes of 1921, entitled "An act to provide for the organization, incorporation, and government of municipal utility districts, authorizing such districts to incur bonded indebtedness for the acquisition and construction of works and property, and to levy and collect taxes to pay the principal and interest thereon," approved May 23, 1921, as amended, also to add a new section to said act to be numbered 6c, relating to the limitation of time for commencing actions to contest the validity of proceedings for the annexation of territory to municipal utility districts, also to amend section 12 of said act as amended by amending subdivision VIII thereof relating to incurring indebtedness by such districts and providing for refunding of deposits for extensions, and to add a new section to said act to be numbered section 12a legalizing, ratifying, confirming and declaring valid certain obligations, acts, agreements and expenditures of such districts;

And reports that the same have been correctly enrolled and presented to the Governor on the seventeenth day of March, at eleven o'clock a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 38—An act to enable municipalities to become annexed to municipal utility districts, to agree upon and give effect to terms and conditions of annexation and to transfer property to municipal utility districts in consideration of and upon annexation—and reports that the same has been correctly enrolled and presented to the Governor on the seventeenth day of March, at eleven o'clock a.m.

RILEY, Chairman

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 402—An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food, to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—12; absent—1.

DUVAL, Chairman.

Senate Bill No. 402 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 403—An act to provide for the inspection and certification of liquid eggs, frozen eggs and dried eggs and any other egg products imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with respect thereto, and to provide penalties for violations of the provisions of this act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—12; absent—1.

DUVAL, Chairman.

Senate Bill No. 403 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 16, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 400—An act defining the civil liability for failure to control fire;

Also: Senate Bill No. 491—An act to amend section 384 of the Penal Code, relating to fires;

Also: Senate Bill No. 807—An act defining the civil liability for failure to control fire;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—7; committee vote: Ayes—7.

EVANS, Chairman.

Senate Bills Nos. 490, 491, and 807 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 408—An act to amend section 347 of the Penal Code, relating to the sale and use of drugs—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Bill No. 408 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 70—An act to amend sections 9 and 19 of chapter 186, Statutes of 1907, entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration of drugs—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Bill No. 70 ordered on file for second reading.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 16, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred the resolution of Senator Riley—relative to the appointment by the Senate of a committee to investigate the matters in dispute between the city of Los Angeles and some residents of Inyo and Mono counties—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; noes—1.

EVANS, Chairman.

RESOLUTION.

By Senator Riley:

WHEREAS, The city of Los Angeles has diverted and appropriated certain waters of Inyo County and Mono County to the use and benefit of the city of Los Angeles,

and in the course of such diversion and appropriation has condemned certain lands; and

WHEREAS, It has been represented that the taking of said waters has resulted in the depreciation of the value of certain lands owned by individuals and a reduction of the revenues of the county derived from the taxation of such lands; and

WHEREAS, It may be necessary and advisable during the forty-ninth session of the Legislature to take some action relative to the conditions which have thus arisen; and

WHEREAS, It is advisable that a committee be appointed to study these matters, and to report back its findings, and to make such recommendations concerning legislation in connection therewith as it may deem desirable; now, therefore, be it

Resolved by the Senate, That a committee, consisting of five members of the Senate, be appointed by the President of the Senate to investigate the above mentioned matters and report back its findings together with its recommendations to the Senate as soon thereafter as may be convenient during the forty-ninth session of the Legislature; and be it further

Resolved, That said committee may incur expenses necessary to its investigations in a sum not to exceed \$2,000 to be paid from the Contingent Fund of the Senate.

Resolved, further, That said committee shall proceed at once to organize by the election of one of its members as chairman and one as secretary, and proceed with said investigation in the manner to be determined by said committee.

Resolved, further, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters, objects, and conditions hereinabove referred to; to hold meetings and hearings anywhere in the State and shall hold meetings and hearings in Inyo and Mono counties; to require the production of persons, books, documents, records and papers; to issue subpoenas; to compel the attendance of witnesses and procure the testimony thereof; and each of the members of said committee is hereby authorized to administer oaths; all of the provisions of article VIII of chapter 2, title I, part III of the Political Code relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution.

Resolved, further, That said committee is hereby given leave to sit during the session of the Legislature at the Capitol or at such other place as the committee, from time to time, may designate.

SPECIAL ORDER.

Senator Riley moved that the preceding resolution, relative to the appointment by the Senate of a committee to investigate the matters in dispute between the city of Los Angeles and some residents of Inyo and Mono counties, be made a special order immediately after consideration of Senate Bill No. 286, heretofore set as a special order for March 18th at eleven o'clock and thirty minutes a.m.

Motion carried.

REQUEST FOR PERMISSION TO INTRODUCE BILL.

The following request for permission to introduce a bill was presented:

By Senator Moran?

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 30 of and to add a new section to be numbered section 30a to the Workmen's Compensation Insurance Safety Act of 1917, relating to deductions from employees' wages.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 692—An act to amend sections 2, 5, 6 and 8, chapter 795, Statutes of 1927, entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a

penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, relating to the issuing of, accounting for, compensation for issuing, duration of, and mode of applying for hunting and fishing licenses and the definition of game fishes.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

Senator Young moved to refer Senate Bill No. 692 to Senator Duval as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 1 and 2, of the title of the printed bill, as amended in Senate March 12, 1931, strike out "chapter 795, statutes of 1927," and insert in lieu thereof the following: "an act".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended in Senate March 12, 1931, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. Section 2 of said act is".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 16, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 692 with instructions to amend, respectfully reports the same back, amended as per instructions.

DUVAL, Committee.

Report read, and on motion of Senator Young adopted.
Bill ordered to print and re-engrossment.

Senate Bill No. 324—An act to add a new section to the Penal Code, to be numbered 626 $\frac{1}{2}$, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 324 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Critten-den, Edwards, Evans, Harper, Maloney, McKinley, Mixter, Moran, Nelson, Rochester, Schottky, Slater, Treacy, Waggy, and Young—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 930—An act to add a new section to the Penal Code to be numbered section 347 b , relating to the sale and use of fluid extract of jamaica ginger or any preparation or compound containing triortho-cresyl phosphate, and declaring the urgency thereof.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of facts constituting such urgency: During the month of February, 1931, a total of 200 cases of paralysis and two deaths have resulted in Los Angeles County alone from the use, for beverage purposes, of the fluid extract of jamaica ginger and preparations and compounds containing triorthocresyl phosphate. There are no penal statutes of this state which control the sale of said extracts, preparations, or compounds and it is necessary that

immediate action be taken to prevent their improper use in order to prevent further loss of life and to protect the health of the public.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 930 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 145—An act to amend section 3627*a* of the Political Code, relating to the taxation of securities and solvent credits.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 145 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 517—An act to amend sections 674, 675, 679 and 689 of, and to add section 658*a* to, the Political Code, relating to the Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 517 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 671—An act to amend section 2 of chapter 12, Statutes of 1911, entitled "An act providing for the management of

the California Redwood Park, and creating a board of five commissioners with power to manage said California Redwood Park," relating to compensation of wardens.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 671 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 12—An act to amend section 2 of chapter 763, Statutes of 1927 entitled "An act to provide that the Department of Natural Resources, through the State Park Commission, shall have control of the State Park system; to establish and define certain powers and duties of the State Park Commissioner; to make an appropriation for carrying out the purposes of this act; and to establish a contingent fund and a revolving fund," approved May 25, 1927, relating to the State Park system.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 12 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 471—An act to amend section 642 of the Political Code, relating to the duties of the Fish and Game Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 471 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 84—An act to amend section 1 of chapter 322, Statutes of 1913, entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 26, 1913, as amended, relating to the Legislative Counsel of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 84 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Slater, Treacy, Wag, Williams, and Young—31.

NOES—Senators Deuel, Swing, and Tubbs—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 685—An act authorizing the Department of Finance to sell all of the right, title and interest of the State of California in and to certain real property situate in the county of San Joaquin, State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 685 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wag, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 430—An act adding a new section to be numbered 7b to chapter 648, Statutes of 1909, entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," as amended, relating to the use and disposition of moneys and funds of district agricultural associations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 430 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Riley, Schottky, Slater, Swing, Treacy, Tubbs, Wag, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 172—An act to amend the California Irrigation District Act by adding a new section thereto to be numbered 47a, relating to partial redemption of land sold for delinquent assessment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 172 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones,

Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, and Young—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 235—An act to amend section 626*o* of the Penal Code, relating to the protection of fish and game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 235 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 568—An act to amend section 539 of the Civil Code, relating to the recovery of damages for the breaking or injuring of subaqueous telegraph, telephone and electric power cables or gas pipe lines.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 568 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 567—An act to amend section 538 of the Civil Code, relating to malicious injury to telegraph, telephone, electric power and gas property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 567 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Maloney, Mixer, Moran, Nelson, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 302—An act to add a new section to the Penal Code to be numbered 496*c*, relating to the theft of the contents of any private and unpublished paper, book or record containing information relating to the title of real property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 302 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 167—An act to amend section 498 of the Civil Code, relating to construction of street railway tracks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 167 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 74—An act to add section 24a of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors for President and Vice President of the United States, and providing for the election of party county central committees; and to repeal the act approved April 7, 1911, known as the Direct Primary Law; and also to repeal the act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law; and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, relating to chairmen of county central committees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 74 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 167—An act to amend section 991 of the Civil Code, relating to trade-marks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 167 passed by the following vote:

AYES—Senators Allen, Baker, Broad, Bush, Carter, Cassidy, Christensen, Duval, Edwards, Evans, Fulton, Harner, Hays, James, Jones, Maloney, McCormack, McKimsey, Mixer, Nelson, Riege, Rochester, Schuch, Sweeney, Suter, Tracy, Tubbs, and Wagg—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECRETARY JOSEPH A. BROWN AT THE DESK.

Assembly Bill No. 323—An act to amend section 4236 of the Political Code, relating to compensation of county and township officers in counties of the ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 323 passed by the following vote:

AYES—Senators Allen, Baker, Broad, Bush, Carter, Cassidy, Christensen, Duval, Edwards, Evans, Fulton, Harner, Hays, Maloney, McCormack, McKimsey, Mixer, Nelson, Riege, Rochester, Schuch, Sweeney, Suter, Tracy, Tubbs, and Wagg—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 324—An act to amend section 1361 of the Juvenile Court Law, relating to compensation officers in counties of the ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 324 passed by the following vote:

AYES—Senators Allen, Baker, Broad, Bush, Carter, Cassidy, Christensen, Duval, Edwards, Evans, Fulton, Harner, Hays, James, Jones, Maloney, McCormack, McKimsey, Mixer, Nelson, Riege, Rochester, Schuch, Sweeney, Suter, Tracy, Tubbs, and Wagg—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 327—An act to amend section 2922-9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 327 passed by the following vote:

AYES—Senators Allen, Baker, Broad, Bush, Carter, Cassidy, Christensen, Duval, Edwards, Evans, Fulton, Harner, Hays, James, Jones, Maloney, McCormack, McKimsey, Mixer, Nelson, Riege, Rochester, Schuch, Sweeney, Suter, Tracy, Tubbs, and Wagg—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 328—An act to add a new section to be numbered 9a9 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 328 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Waggy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 163—An act to amend section 4286 of the Political Code, relating to the compensation of county officers and their deputies, assistants and employees, and of jurors in counties of the fifty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 163 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Waggy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 325—An act to amend section 16x9 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the ninth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 325 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Waggy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Moran to introduce a bill entitled: "An act to amend section 30 of and to add a new section to be numbered section 30a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to deductions from employees' wages,"—

has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Moran: Senate Bill No. 931—An act to amend section 30 of and to add a new section to be numbered section 30a to the Workmen's Compensation, Insurance and Safety Act of 1917, relating to deductions from employees' wages.

Bill read first time, and referred to Committee on Insurance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 274—An act to amend the Political Code by amending sections 3455, 3460, 3462, 3465, 3466, and 3480, relating to reclamation districts and adding a new section thereto to be numbered 3466a, relating to sales and leasing of lands sold and held by reclamation districts or county treasurers as trustees—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

(Signed out)

MCCORMACK, Chairman.

CRITTENDEN.

EVANS.

MORAN.

SECOND READING OF SENATE BILL NUMBER TWO HUNDRED SEVENTY-FOUR.

Senate Bill No. 274—An act to amend the Political Code by amending sections 3454, 3457, 3465, 3466, and 3466½ as enacted by Statutes of 1921 of the State of California, chapters 374, 3468, 3480 and 3480a, relating to reclamation districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the title of the printed bill, as amended in Senate February 27, 1931, after the word "adding", strike out the word "a", and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the title of the printed bill, as amended in Senate February 27, 1931, strike out the words "section thereto", and insert in lieu thereof the following: "sections thereto, to wit: a new section".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, of the title of the printed bill, as amended in Senate February 27, 1931, strike out the period following the word "trustees", and insert in lieu

thereof a semicolon and the following: "a new section to be numbered 3480b providing means whereby two or more issues of bonds of a reclamation district without standing warrants thereof may be refunded with a single issue of bonds based upon a single assessment; and a new section to be numbered 3457b relating to payment of warrants of reclamation districts and the stopping of interest thereon".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 27, of the printed bill, as amended in Senate February 27, 1931, strike out the word "of", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 8, line 4, of the printed bill, as amended in Senate February 27, 1931, after the comma following the word "thereon", insert the following: "including penalties and interest,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 8, line 30, of the printed bill, as amended in Senate February 27, 1931, strike out the words "two weeks", and insert in lieu thereof the following: "once a week for two successive weeks".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 9, line 37, of the printed bill, as amended in Senate February 27, 1931, after the word "the", in the first place in which said word appears in said line, insert the following: "said second original assessment".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 10, line 15, of the printed bill, as amended in Senate February 27, 1931, after the word "shall", insert the following: "file with the county treasurer a detailed report of any and all collections thereon and who shall".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 11, line 28, of the printed bill, as amended in Senate February 27, 1931, strike out the words "penalty and interest", and insert in lieu thereof the following: "interest and penalty".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 11, line 29, of the printed bill, as amended in Senate February 27, 1931, strike out the word "sale", and insert in lieu thereof the word "call".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 11, line 46, of the printed bill, as amended in Senate February 27, 1931, strike out the word "trustees", and insert in lieu thereof the words "county treasurer".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 12, line 6, of the printed bill, as amended in Senate February 27, 1931, strike out the word "recorded", and insert in lieu thereof the word "filed".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 12, line 12, of the printed bill, as amended in Senate February 27, 1931, after the period following the word "sale", insert the following: "Upon such redemption a certificate of redemption shall be issued by the county treasurer to the party so redeeming, which said certificate shall be filed in the office of the county recorder."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 12, line 14, of the printed bill, as amended in Senate February 27, 1931, strike out the following: ", or the district,".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 19, line 7, of the printed bill, as amended in Senate February 27, 1931, strike out the following: "except as otherwise provided in section 3466a of this code,".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 19, line 35, of the printed bill, as amended in Senate February 27, 1931, strike out the following: ", or canceled as provided by law,".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 21, line 26, of the printed bill, as amended in Senate February 27, 1931, strike out the following: "and the amount of said delinquency, including penalty, shall bear interest at the legal rate from the date of delinquency to the date of sale for delinquency as hereinafter provided".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 21, line 45, of the printed bill, as amended in Senate February 27, 1931, strike out the following: "the amount of interest thereon calculated to the day of sale".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On pages 21 and 22 of the printed bill, as amended in Senate February 27, 1931, commencing on line 52 of page 21, strike out the words "said accrued interest and".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 22, line 5, of the printed bill, as amended in Senate February 27, 1931, strike out the words "interest and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 22, line 7, of the printed bill, as amended in Senate February 27, 1931, strike out the words "interest and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 22, line 20, of the printed bill, as amended in Senate February 27, 1931, strike out the words "interest and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 22, line 25, of the printed bill, as amended in Senate February 27, 1931, strike out the words "shall record a duplicate", and insert in lieu thereof the following: "a duplicate thereof shall be filed".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 25, line 10, of the printed bill, as amended in Senate February 27, 1931, after the period following the word "provided", insert new paragraphs as follows:

"In case a portion of any issue of bonds remains unsold after the lapse of one year after the same shall have been deposited with the county treasurer or have not been deposited with the county treasurer within one year after the date of the election authorizing their issuance the board of trustees may in their discretion likewise, by an order entered on their minutes cancel said portion of said bonds so remaining unsold or not so deposited with the county treasurer and all proceedings in relation thereto; and a certified copy of such order shall likewise be filed with the county treasurer in each county wherein the lands affected by the assessment on which said bonds are based are situated.

The county treasurer with whom said bonds have been deposited shall thereupon cancel the same together with all coupons attached thereto. In case a portion only of any bond issue shall have been canceled as above provided the board of trustees shall call in and order paid the portion of the assessment represented by the bonds canceled, in such installment or installments as the said board shall determine, and as provided in section 3466 of this code, and the amount collected shall be deposited in the county treasury and paid out on warrants of the district in the order of their registration drawn in payment of the cost of the works, repairs, maintenance, charges or incidental expenses of the district, for the payment of which the said assessment upon which said bonds were issued was levied.

Provided, that where a portion of the bonds based on such assessment have been sold and are outstanding and remain unpaid in whole or in part only such portion of said assessment shall be so called in or ordered paid as above provided for the payment of warrants issued in payment of the costs of the works of the district, maintenance or repairs as will leave sufficient of said assessment on said land uncalled as will meet and pay the principal and interest of said bonds as and when due and payable."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 25, line 16, of the printed bill, as amended in Senate February 27, 1931, strike out the words "or section 3480", and insert in lieu thereof the following: "3480 or section 3480a".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 25, line 18, of the printed bill, as amended in Senate February 27, 1931, after the word "may", insert the following: "in their discretion".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 26, line 31, of the printed bill, as amended in Senate February 27, 1931, after the figures "3480", insert the following: "or 3480a".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 26, line 37, of the printed bill, as amended in Senate February 27, 1931, after the period following the word "district", insert a new sentence as follows: "An amount equal to the revenues derived from each tract by reason of the leasing, use or occupation thereof, less the incidental expenses of leasing and holding same, shall be credited by the county treasurer on the assessment lists against the delinquent charges on said tract."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 26, line 39, of the printed bill, as amended in Senate February 27, 1931, strike out the words "for the district".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 26, line 41, of the printed bill, as amended in Senate February 27, 1931, after the period following the word "levied", insert new paragraphs as follows:

"SEC. 8. A new section is hereby added to the Political Code of the State of California, to be numbered 3480b and to read as follows:

3480b. Whenever any district has outstanding more than one issue of bonds it may refund said bonds by a single issue of bonds as in this section provided. To refund said bonds hereunder, the trustees, subject to the provisions hereof, shall make a contract with three or more bondholders, or their duly authorized representatives, acting on behalf of all bondholders who shall become parties to the contract, wherein the terms for such refunding shall be set forth. The contract shall provide (1) for the issuance of refunding bonds hereunder and for the maturities of the refunding bonds, which, however, must all mature within fifty years from the date when authorized by the election herein provided; (2) for the interest rate on said refunding bonds which may be made to vary from time to time or may be omitted for a time but which shall not exceed six per cent per annum, payable semiannually; (3) for the deposit with the county treasurer of the bonds to be refunded and for the time within which said deposit shall take place; (4) for extension of time for deposit of said bonds, but the total time allowed for deposit thereof shall not exceed

one year from the date of the election herein provided; (5) for application of moneys on hand in the bond funds of the district or to be received therefrom from any source; (6) for the amount of refunding bonds to be issued and for the exchange thereof for bonds being refunded either on a pro rata or bond for bond basis; (7) and for such other things incidental to the process of refunding said bonds and not inconsistent herewith as may be proper or necessary. Said contract may include for refunding any outstanding warrants of the district. Bonds and coupons may be refunded whether in default or not in default. Except as herein specially provided, said refunding bonds shall be in terms substantially as provided in section 3480a, as said section shall be when this section shall go into effect as law; but they shall state that they are issued under this section. Upon the execution of said contract the trustees shall call an election in the district and shall submit to the electors the question whether or not refunding bonds shall be issued as provided by said contract. In the notices of election the terms of the contract shall be generally described. All proceedings appertaining to said election shall be in accordance with section 3480. If the majority of votes cast at said election shall be in favor of said proposition, said contract shall become binding according to its terms. Whenever bonds, or bonds and warrants, have been fully deposited, as required by said contract, then (1) moneys in the bond funds of the district shall be used, as specified by said contract either (a) in pro rata part payment of bonds and coupons for payment of which they were collected or (b) in payment of bonds and coupons at maturity where the holders thereof do not become parties to said contract, (2) lands that have been deeded under sales for delinquencies and are held for the benefit of bondholders shall be sold for cash at such prices as the trustees shall specify and moneys realized from the sale of said lands shall go into said bond funds of the district, and (3) after all of said lands have been sold, the trustees shall proceed, as provided in sections 3456a, 3461, 3462 and 3463 to have an assessment levied in the amount of the refunding bonds authorized. Said assessment shall be security for the payment of said refunding bonds and shall be collected and applied for that purpose in the manner prescribed in section 3480. Whenever the assessment roll for said assessment has been filed in the office of the county treasurer all assessments underlying the bond issues being refunded shall be null and void and no further proceedings shall be taken thereunder; *provided, however*, that deeds shall issue thereafter on any sales thereunder for delinquencies where the times for issue of said deeds have then already expired, or where said sales have been made to purchasers for cash and the times for redemption have not yet expired. Upon the filing of said assessment roll in the office of the county treasurer the trustees shall proceed to carry out said contract. Additional moneys for said bond funds for application under said contract may be provided by voluntary contribution and refunding bonds may be issued therefor. Unless funds are provided in the county treasury in the manner herein specified to pay at maturity any bonds and coupons which are not deposited under said contract the trustees shall not carry out said contract. The county treasurer, as depositary of bonds hereunder, may keep said bonds in any safe deposit boxes or vaults in any banks that he shall select. Nothing herein contained shall be held to affect or restrict the provisions of section 3480a. Except as any thereof cannot be applied hereunder or is inconsistent herewith, the provisions of section 3480, as said section shall be when this section shall go into effect as law, are hereby incorporated herein as a part of this section and made applicable to said assessment and to said refunding bonds.

SEC. 9. A new section is hereby added to the Political Code to be numbered 3457b and to read as follows:

3457b. Whenever there is sufficient money in the hands of the county treasurer applicable to the payment of any outstanding warrants of the district, and such warrants have not been theretofore presented for payment, the county treasurer may give notice by one publication in some newspaper of general circulation published in the county that there is money in his hands to pay certain warrants, giving their numbers in the order of their registration and stating that at midnight of the date of said publication the warrants therein mentioned shall cease to bear interest. Thereafter interest on such warrants shall cease, as set forth in said notice."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Drainage, Swamp and Overflow Lands.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS—(OUT OF ORDER).

Senate Bill No. 533—An act to amend subdivision (c) of section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, with respect to limitations of time for instituting proceedings for the collection from an employer of additional compensation.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "subdivision (c) of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and insert in lieu thereof, the following:

"SECTION 1. Section 11 of the workmen's compensation, insurance and safety act of 1917, as amended, is hereby amended to read as follows:

Sec. 11. (a) Unless compensation is paid or an agreement for its payment made within the time limited in this section for the institution of proceedings for its collection, the right to institute such proceedings shall be barred; *provided*, that the filing of an application with the commission for any portion of the benefits prescribed by this act shall render this section inoperative as to all further claims of any person or persons for compensation arising from the same transaction, and the right to present such further claims shall be governed by the provisions of section 20 (d) and section 65 (b) of this act.

(b) The periods within which proceedings for the collection of compensation may be commenced are as follows:

(1) Proceedings for the collection of the benefit provided by subsection (a) of section 9 or for the collection of the disability payment provided by subsection (b) of said section 9 must be commenced within six months from the date of the injury, except as otherwise provided in this act; except that where in the beginning the effects of an injury are latent, and no disability or incapacity is apparent, but disability later results therefrom, the period within which proceedings for collection of disability payment may be commenced shall be extended six months from the date of discovery of the disability.

(2) Proceedings for the collection of the death benefit provided by subsection (c) of said section 9 must be commenced within one year from the date of death, and in any event within two hundred forty weeks from the date of the injury, and can only be maintained when it appears that death ensued within one year from the date of the injury, or that the injury causing death also caused disability which continued to the date of the death and for which a disability payment was made, or proceedings for its collection commenced within the time limited for the commencement of proceedings for the recovery of the disability payment.

(c) The payment of compensation, or any part thereof, or agreement therefor, shall have the effect of extending the period within which proceedings for its collection may be commenced, six months from the date of the agreement or last payment of such compensation, or any part thereof, or the expiration of the period covered by any such payment; but no payment of such compensation, or agreement therefor, by an insurance carrier shall extend the period within which proceedings for the collection from an employer of the additional compensation under the provisions of section 6 (b) hereof may be commenced; *provided, however*, that nothing contained in this section shall be construed to bar the right of any injured employee to institute proceedings for the collection of compensation within two hundred forty-five weeks after the date of the injury upon the grounds that the original injury has caused new and further disability; and the jurisdiction of the commission, in such cases, shall be a continuing jurisdiction at all times within such period; *provided, further*, that the provisions of this section shall not apply to an employee who is totally disabled and bedridden as a result of his injury, during the continuance of such condition or until the expiration of six months thereafter.

(d) If an injured employee, or in the case of his death, one or more of his dependents, shall be under twenty-one years of age or incompetent at any time when any right or privilege accrues to such person under the provisions of this act, a general guardian, appointed by the court, or a guardian ad litem or trustee appointed by the commission or a commissioner may, on behalf of any such person, claim and exercise any such right or privilege with the same force and effect as if no such disability existed; and no limitation of time provided by this act shall run against any such person under twenty-one years of age or incompetent unless and until such guardian or trustee is appointed. The commission shall have power to determine the fact of the minority or incompetency of any injured employee and may appoint a trustee to receive and disburse compensation payments for the benefit of such minor or incompetent and his family.

(e) No compensation shall be payable in case of the death or disability of an employee if his death is caused, or if and so far as his disability is caused, continued, or aggravated, by an unreasonable refusal to submit to medical treatment, or to any surgical treatment, the risk of which is, in the opinion of the commission, based upon expert medical or surgical advice, inconsiderable in view of the seriousness of the injury.

(f) The fact that an employee has suffered a previous disability, or receives compensation therefor, shall not preclude him from compensation for a later injury, or his dependents from compensation for death resulting therefrom, but in determining compensation for the later injury or death resulting therefrom, his average annual earnings shall be fixed at such sum as will reasonably represent his annual earning capacity at the time of the later injury.

(g) Any payment, allowance or benefit received by the injured employee during the period of his incapacity, or by his dependents in the event of his death, which by the terms of this act was not then due and payable or when there is any dispute or question concerning the right to compensation, shall not, in the absence of any agreement, be construed to be an admission of liability for compensation on the part of the employer, or the acceptance thereof as a waiver of any right or claim which the employee or his dependents may have against the employer, but any such payment, allowance or benefit may be taken into account by the commission in fixing the amount of the compensation to be paid.

(h) The running of the period of limitations prescribed by this section is an affirmative defense and operates to bar the remedy and not to extinguish the right of the employee. It may be waived, and failure to present such defense prior to the submission of the cause for decision shall be a sufficient waiver."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 554—An act to amend subdivision (d) of section 20¹ of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by permitting decision on rehearing after 245 weeks from date of injury.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "subdivision (d) of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 25, inclusive, and insert in lieu thereof, the following:

"SECTION 1. Section 20 of the workmen's compensation, insurance and safety act of 1917, as amended, is hereby amended to read as follows:

Sec. 20. (a) After final hearing by the commission, it shall, within thirty days, make and file (1) its findings upon all facts involved in the controversy and (2) its award which shall state its determination as to the rights of the parties.

(b) The commission in its award may fix and determine the total amount of compensation to be paid and specify the manner of payment, or may fix and determine the weekly disability payment to be made and order payment thereof during the continuance of such disability.

(c) If, in any proceeding under section 6 to 31, inclusive, of this act, it is proved that an injury has been suffered for which the employer would be liable to pay compensation if disability had resulted therefrom, but it is not proved that any incapacity had resulted, the commission may, instead of dismissing the application, award a nominal disability indemnity, if it appears that disability is likely to result at a future time.

(d) The commission shall have continuing jurisdiction over all its orders, decisions and awards made and entered under the provisions of section 6 to 31, inclusive, of this act and may at any time, upon notice, and after opportunity to be heard is given to the parties in interest, rescind, alter or amend any such order, decision or award made by it upon good cause appearing therefor, such power including the right to review, grant or regrant, diminish, increase or terminate, within the limits prescribed by this act, any compensation awarded, upon the grounds that the disability of the person in whose favor such award was made has either recurred, increased, diminished or terminated: *provided*, that no award of compensation shall be rescinded, altered or amended except upon petition therefor in writing filed with the commission within two hundred forty-five weeks from the date of the injury, and the order, decision, or award rescinding, altering or amending the prior award shall be subject to petition for rehearing and to review by the courts as hereinafter provided in this act. Any order, decision or award rescinding, altering or amending a prior order,

decision or award shall have the same effect as is herein provided for original orders, decisions or awards.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 555—An act to amend subdivision (e) of section 27 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by extending the limitation of time for the filing of proceedings for compensation where a release or compromise agreement has not been approved by the commission.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "subdivision (e) of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert in lieu thereof, the following:

"SECTION 1. Section 27 of the workmen's compensation, insurance and safety act of 1917, as amended, is hereby amended to read as follows:

Sec. 27. (a) No contract, rule or regulation shall exempt the employer from liability for the compensation fixed by this act, but nothing in this act contained shall be construed as impairing the right of the parties interested to compromise, subject to the provisions herein contained, any liability which may be claimed to exist under this act on account of such injury or death, or as conferring upon the dependents of any injured employee any interest which such employee may not divert by such compromise or for which he, or his estate, shall, in the event of such compromise by him, be accountable to such dependents or any of them.

(b) The compensation herein provided shall be the measure of the responsibility which the employer has assumed for injuries or death that may occur to employees in his employment when subject to the provisions of this act, and no release of liability or compromise agreement shall be valid unless it provide for the payment of full compensation in accordance with the provisions of this act or unless it shall be approved by the commission.

(c) A copy of such release or compromise agreement signed by both parties shall forthwith be filed with the commission. When such release or compromise agreement is filed with the commission and approved by it, the commission may of its own motion, or on the application of either party, without notice, enter its award based upon such release or compromise agreement.

(d) Every such release or compromise agreement shall be in writing duly executed and attested by two disinterested witnesses, and shall specify the date of the accident, the average weekly wages of the employee, determined according to section 12 hereof, the nature of the disability, whether total or partial, permanent or temporary, the amount paid or due and unpaid to the employee up to the date of the release or agreement or death, as the case may be, and, if any, the amount of the payment or benefits then or thereafter to be made, and the length of time that such payment is to continue. In case of death there shall also be stated in such release or compromise agreement the date of death, the name of the widow, if any, the names and ages of all children, if any, and the names of all other dependents, if any, and whether such dependents be total or partial, and the amount paid or to be paid as a death benefit and to whom such payment is to be made.

(e) Where a release or compromise is made for an amount less than the full compensation or benefit to which an employee, or his dependents, may be entitled under this act, the limitation of time provided by subsection (b) (1) and (b) (2) of section 11 of this act in which such employee or his dependents may file proceedings for the collection of the benefits provided by section 9 of this act is hereby extended to two years from the date of the injury, unless said release or compromise agreement shall have been approved by the commission.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

Senate Bill No. 557—An act to amend subdivision (a) of section 64 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that each party to a proceeding shall have the separate right to petition for a rehearing.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "subdivision (a) of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 64 of the workmen's compensation, insurance and safety act of 1917, as amended, is hereby amended to read as follows:

Sec. 64. (a) Any party or person aggrieved directly or indirectly by any final order decision, award, rule or regulation of the commission, made or entered under any provision contained in this act, may apply to the commission for a rehearing in respect to any matters determined or covered by such final order, decision, award, rule or regulation and specified in the application for rehearing within the time and in the manner hereinafter specified, and not otherwise; *provided*, that each party to a proceeding shall be entitled to petition for a rehearing and to decision thereon.

(b) No cause of action arising out of any such final order, decision or award shall accrue in any court to any person until and unless such person shall have made application for such rehearing, and such application shall have been granted or denied; *provided*, that nothing herein contained shall be construed to prevent the enforcement of any such final order, decision, award, rule or regulation in the manner provided in this act.

(c) Such application shall set forth specifically and in full detail the grounds upon which the applicant considers said final order, decision, award, rule or regulation is unjust or unlawful, and every issue to be considered by the commission. Such application must be verified upon oath in the same manner as required for verified pleadings in courts of record and must contain a general statement of any evidence or other matters upon which the applicant relies in support thereof. The applicant for such hearing shall be deemed to have finally waived all objections, irregularities and illegalities concerning the matter upon which such rehearing is sought other than those set forth in the application for such rehearing.

(d) A copy of such application for rehearing shall be served forthwith upon all adverse parties by the party applying for such rehearing, and any such adverse party may file an answer thereto within ten days thereafter. Such answer must likewise be verified. The commission may require the application for rehearing to be served on such other persons or parties as may be designated by it.

(e) Upon filing of an application for a rehearing, if the issues raised thereby have theretofore been adequately considered by the commission, it may determine the same by confirming without hearing its previous determination, or if a rehearing is necessary to determine the issues raised, or any one or more of such issues, the commission shall order a rehearing thereon and consider and determine the matter or matters raised by such application. If at the time of granting such rehearing it shall appear to the satisfaction of the commission that no sufficient reason exists for taking further testimony, the commission may reconsider and redetermine the original cause without setting a time and place for such further rehearing. Notice of the time and place of such hearing, if any, shall be given to the applicant and adverse parties, and to such other persons as the commission may order.

(f) If after such rehearing and a consideration of all the facts including those arising since the making of the order, decision or award involved, the commission shall be of the opinion that the original order, decision or award, or any part thereof, is in any respect, unjust or unwarranted, or should be changed, the commission may abrogate, change or modify the same. An order, decision or award made after such rehearing, abrogating, changing or modifying the original order, decision or award, shall have the same force and effect as an original order, decision or award, but shall not effect any right or the enforcement of any right arising from or by virtue of the original order, decision or award, unless so ordered by the commission. An application for a rehearing shall be deemed to have been denied by the commission unless it shall have been acted upon within thirty days from the date of filing; *provided*,

however, that the commission may, upon good cause being shown therefor, extend the time within which it may act upon such application for not exceeding thirty days.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 837—An act to repeal article V, embracing sections 4.320 to 4.334, both inclusive, of chapter I of part III of division IV of the School Code, relating to claims against school district funds.

On motion of Senator Jones, Senate Bill No. 837 was ordered re-referred to Committee on Education.

ADJOURNMENT.

At four o'clock and four minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Wednesday, March 18, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Wednesday, March 18, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 17, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rio Vista Joint Grammar School as follows: Barbara Mitchell, Betty Emigh, Catherine Flodin, Donald Jeffery, Harry Crew, Harry Baroni, Henry Scholting, Ichiro Nakahara, Johnny Giometti, Josephine La Mothe, Katherine Elliott, Leonard Nelson, Margaret Arlin, Nellie Giometti, Ralph Pazzaghia, Ruth Beebe, Richard Brown, Norma Hale, Josephine Pazzaghia, Lillian Bockman, Shirley Mollison, Verdie Gordon, Mildred Schwartz, Richard Nunes, Fred William, Manuel Machado, Elvin Hawkins, Anita Crescenzi, Lawrence Raiter, Callais Viola, Alta

Emigh, Wallace Brown, Beatrice Enos, John Machado, Esther Crescenzi, Warren Hamilton, Mary Joseph, Louise Baroni, Emery Meadows, Margaret Schnell, Patricia Parrish, Elsie Marteniano, Dustin Foord, Violet Turney, Robert Brown, Donna Stewart, Gilbert Azevedo, Nadine Chernoff, Walter McKarley, Marcia Church, Ernest Brown, Margaret Howe, Virginia Sullivan, Gilbert Alemeda, Kenneth Machado, Paulina Brown and Joe Machado.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. Lee Chamberlain of Berkeley.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Herbert L. Breed and Mrs. Edith Breed, his wife, of Piedmont, brother and sister-in-law of Hon. Arthur H. Breed, President pro tempore.

On request of Senator Luman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Isleton Union School, Miss June Johnson, teacher, and pupils as follows: Joe Ariela, Anthony Bettencourt, Albert Maria, Virginia Collyer, Lucy Perreria, May Fenton, Ida Pucci, Donald McCormack, Wilbur Gardiner, Joe Bettencourt, Tony Carvalho, Richard Hansen, Helen Freitas, Willie Martin, Frank Vengley, Angelo Pucci, Robert Ariela, Alma Ayilla, Lois Rodriguez, Alan McClard, Beverley Worcester, Edwin Knapp, Harry Hessler, Johnny Perry, Henry Hessler, Louise Emigh, Jane Vander Hooft, Rex Linde, Alta Marker and Eleanor Rogers.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Vacaville High School, C. R. Fitzgerald, instructor, and pupils as follows: Robert Costello, Elsie Herriek, Margaret Edwards, Dorothy Ahubin, Lillian Fernald, Ralph Tate, Robert A. Rogers, Robert D. Rogers, Wilson Carrington, Cecil Hargis, Isugiko Handa, Lois Buck, Aleen Thorington, Carolyn Fry, Eleanor Ver Vaecke, Olive Blair McMillan, Dallas Smith, Norma Parker, William Manuel, Frank McKevitt, Ineko Handa, Jessie Sarde, Florence Higson and Anna Franklin.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ceres High School, M. H. Gilstrap, instructor, and pupils as follows: Verna Calkins, Edith Morrell, Lily Matsushige, Wilma Meyers, Elsie Bedolla, Richard Kawasaki, Bob Calkins, Beatrice DeFurst, Mrs. K. Kimoto, Emma Kimoto, Bill Morgan, Ardis Magnus, Mildred Dickson, Dorothy Garrison, Donald Stonum, Rev. H. H. Wolford and Roy D. Gilstrap.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Theodore W. Law of South Pasadena, and George Barclay of Huntington Park.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 423—An act to amend section 5.21 of the School Code, relating to the management and control of funds of State teachers colleges;

Also: Senate Bill No. 889—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of nonresident students of the University of California, and to add to said section a provision authorizing the attorney for the Regents of the University of California, and other persons, to administer oaths in connection with the taking of testimony relative to the residence status of students and prospective students of the University of California;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Assembly Bill No. 389—An act to amend section 634 of the Penal Code, relative to the protection of fish and game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—13; absent—2.

YOUNG, Chairman.

Bill read second time, and ordered on file for third reading.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 79—An act to amend section 626d of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 171—An act to add a new section to the Penal Code to be numbered 636b, relating to the protection of fish;

Also: Senate Bill No. 207—An act to amend sections 3, 4 and 5 of chapter 343 of the Statutes of 1921 entitled "An act to provide for leasing kelp beds in the waters of the State of California by the Board of Fish and Game Commissioners," and to repeal section 7 thereof;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—15; committee vote: Ayes—13; absent—2.

YOUNG, Chairman.

Senate Bills Nos. 79, 171 and 207 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 421—An act to amend section 363i of the Political Code, relating to the supervision of ports by the Department of Public Works, and to repeal sections 2584, 2586, 2589, 2590 and 2607 of the Political Code, relating to the Board of State Harbor Commissioners for the bay of San Diego, and to the San Diego Harbor Improvement Fund—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5.

CLEVELAND, Chairman.

Senate Bill No. 421 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 566—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to this committee.

Committee membership—9; committee vote: Ayes—7.

CLEVELAND, Chairman.

Senate Bill No. 566 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 279—An act to amend section 718 of the Civil Code, relating to leasing property by municipalities—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to this committee.

Committee membership—9; committee vote: Ayes—7.

CLEVELAND, Chairman.

Senate Bill No. 279 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation district bonds now or hereafter issued or outstanding—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—5; committee vote: Ayes—3.

McCORMACK, Chairman.

Senate Bill No. 733 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 73—An act to amend section 7 of chapter 361, Statutes of 1915, entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

Also: Senate Bill No. 89—An act to amend section 15 of chapter 755 of the Statutes of 1915, entitled Los Angeles County Flood Control Act, approved June 12, 1915, as amended, relating to contracts for work, materials and supplies;

Also: Senate Bill No. 345—An act to amend section 2 of chapter 591, Statutes of 1915, entitled "An act to create a reclamation district to be called Reclamation District No. 1660, and providing for the control and management thereof"; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—5; committee vote: Ayes—3.

McCORMACK, Chairman.

Senate Bills Nos. 73, 89, and 345 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County Flood Control District—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to Committee on Finance.

Committee membership—5; committee vote: Ayes—3; absent—2.

McCORMACK, Chairman.

Senate Bill No. 17 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit-forming narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs.

"(c) Any bovine animal, in a tuberculosis control area, reacting positively to a tuberculin test conducted by a representative of the federal or state department of agriculture, or adjudged tuberculous upon physical examination by said representative, shall immediately be segregated from other bovine animals which are not reactors. Within thirty days after the appraisal of said reacting bovine animal, as provided for herein, it shall be slaughtered under the direction of the department of agriculture; and in consideration of the fact that the eradication of bovine tuberculosis is beneficial to public health and welfare, before said animal is slaughtered, its value shall be determined by appraisement by a representative of the said department of agriculture or a representative of the bureau of animal industry of the United States department of agriculture, and the owner or his agent. In case of failure to agree on the valuation, said reacting bovine animal shall be appraised by the chief appraiser of said department of agriculture or his representative. To either event, the value determined shall be final. Except as hereinafter provided, the State of California shall pay to the owner of any reacting bovine animal slaughtered under the provisions of this section one third of the difference between the appraised value of such reacting bovine animal and the proceeds from the sale of the salvage, and the owner shall also receive the proceeds from the sale of the salvage, provided that in no case shall any pay."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 33, of the printed bill, strike out "(c)", and insert in lieu thereof "(d)".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 45, of the printed bill, strike out "(f)", and insert in lieu thereof "(e)".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, of the printed bill, strike out all of lines 48 to 51, inclusive, and insert in lieu thereof the following:

"2. For any bovine animal brought into a tuberculosis control area, which reacts to a tuberculin test applied within thirty to ninety days after arrival of said animal in such area, as provided for in this act, or which was brought into a tuberculosis control area, contrary to any".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5, of the printed bill, strike out all of lines 7 to 9, inclusive, and insert in lieu thereof the following:

"4. For any reacting bovine animal which has not been slaughtered within thirty days after such animal has been appraised as provided in this act."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 5, line 15, of the printed bill, after the word "provisions", strike out "of section 12".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 21, of the printed bill, strike out "(g)", and insert in lieu thereof "(f)".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 27, of the printed bill, strike out "(h)", and insert in lieu thereof "(g)".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 28, of the printed bill, after the word "reacting", insert the word "bovine".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 31, of the printed bill, strike out "(i)", and insert in lieu thereof "(h)".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Agriculture and Live Stock.

Senate Bill No. 678—An act to provide for the regulation of private carriers for hire upon the highways of this State outside of incorporated cities and counties, cities and towns; to require the licensing of such carriers by the Department of Motor Vehicles and granting the Department of Motor Vehicles the right to prescribe the terms and conditions for the granting of such license.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title and insert the following: "An act to safeguard the use of highways in this state by regulating the use thereof by private carriers for hire outside of incorporated cities, cities and counties, and towns; defining private carriers; providing for the issuance of permits for such carriers by the division of motor vehicles of the department of public works of the State of California; granting said division the right to prescribe the terms and conditions of such permits; and providing penalties for the violation of this act, and for the enforcement thereof."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, after the word "carrier", strike out the period, and add a comma and the following: "hotel bus, school bus or taxicab".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, beginning with the word "motor", strike out the remainder of the line and lines 9 to 14, inclusive, and insert the following: "division of motor vehicles of the department of public works of the State of California a permit containing such provisions as in its judgment are necessary for the protection of the highways of this state and safeguarding the use of the same by the traveling public, authorizing such operation, prescribing the route or routes, or the territory in which such operation shall be conducted and the form of transportation, whether of persons or property, and specifying the commodity or commodities to be transported under such permit. Such permit shall be renewed annually, and shall be evidenced by distinctive number plates or other designation on each vehicle so used, under regulations provided by said division".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 15 to 20, inclusive, and insert the following:

"SEC. 2. Any such carrier, as a condition precedent to securing such permit, shall pay a fee of fifty dollars for filing of application of each original permit desired, and shall file with said division of motor vehicles a stipulation in writing, containing the following covenants and agreements, which shall be deemed a part of such permit and of the terms and conditions upon which the same is granted:—"

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 21, of the printed bill, strike out the word "licensee", and insert the word "permittee".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 1, of the printed bill, strike out the word "license", and insert the word "permit".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 8, of the printed bill, strike out the word "licensee", and add the word "permittee".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out all of lines 12 to 21, inclusive, and insert the following:

"(b) That such permit shall be subject to revocation at any time by said division of motor vehicles if, in the judgment of said division of motor vehicles, the operation under such permit results in undue congestion of or injury to any highway or endangers users thereof, or for any misuse of such permit, or if permittee should engage in any unauthorized operation".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, strike out all of lines 22 to 26, inclusive, and insert the following:

"SEC. 3. Said division of motor vehicles may insert in such permit such additional conditions as in its judgment are necessary for the protection of the highways to be used and other users thereof, and may in its discretion withhold the granting of any permit if in its judgment the operation of the applicant thereunder would result in any undue congestion of, or injury to, any highway or endanger the users thereof."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, strike out all of lines 41, 42, and 43, and insert the following:

"SEC. 5. Any person who violates this act or any of the terms or conditions of such permit or stipulation shall be guilty of a misdemeanor and shall be punishable by fine not exceeding one thousand dollars, or by imprisonment in the county jail not exceeding one year, or by both such fine and imprisonment.

Any corporation which violates this act or any of the terms or conditions of such permit or stipulation is subject to a penalty of not less than five hundred dollars nor more than two thousand dollars for each and every offense; and in case of a continuing violation each day's continuance thereof shall be deemed to be and be a separate and distinct offense; and any violation of this act or such permit or stipulation by any officer, agent or employee of such corporation, acting within the scope of his official duties or employment, shall in every case be and be deemed to be the act, omission or failure of such corporation.

SEC. 6. Every officer, agent, or employee of every corporation who violates this act or any of the terms or conditions of such permit or stipulation is guilty of a misdemeanor and punishable by a fine not exceeding one thousand dollars or imprisonment in a county jail not exceeding one year, or by both such fine and imprisonment.

SEC. 7. It is hereby made the duty of said division of motor vehicles of the State of California to enforce this act and the terms and conditions of permits issued hereunder and of the stipulations therein contained; and upon the request of said motor vehicle department it shall be the duty of the attorney general or the district attorney of the proper county or city and county to aid in any investigation hereunder or trial and to institute and prosecute actions for the enforcement of this act and of the terms and conditions of permits issued hereunder.

SEC. 8. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of whether any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Motor Vehicles.

Senate Bill No. 402--An act to promote the development of the egg industry in California, to prohibit the sale of eggs unfit for human food,

to provide standards of quality and weight for the sale of eggs, to provide for proper labeling of all eggs displayed for sale to the consumer, to protect the consuming public by preventing deception in the sale of eggs, providing penalties for the violation of the provisions of this act, and repealing all acts or parts of acts in conflict herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, following the word "mean", strike out the colon, and the remainder of the line, and all of line 14, and insert in lieu thereof the following : "eggs in the shell, except as otherwise defined in this act."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 24, of the printed bill, following the word "consumption", insert the following : ", other than those of his own production sold upon the premises on which produced and without solicitation of the public,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, after the second "the", insert the words "quality and", and after the word "size", strike out the words "and grade".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 27, of the printed bill, after the number "6", strike out the "and", and insert in lieu thereof a comma, and after the number "7", strike out the period and insert the following : "and/or 8."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 29, of the printed bill, before the word "shall", insert the words "eggs other than those of his own production".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2 of the printed bill, at the end of line 29, insert the following : "or candling certificate".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 30, of the printed bill, after the word "exact", strike out the word "grade", and insert in lieu thereof the following : "quality and weight specifications".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 31, of the printed bill, after the word "invoice", insert the following : "or candling certificate".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 38, of the printed bill, after the word "invoice", insert the following : "or candling certificate".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 40, of the printed bill, after the word "invoice", insert the following : "or candling certificate".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 43, of the printed bill, after the word "invoice", insert the following: "or candling certificate".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, at the end of line 6, insert the word "quality".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3 of the printed bill, strike out all of lines 8 to 11, inclusive.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 21, of the printed bill, after the letter "(a)", strike out all the remainder of the line, and strike out all of lines 22 to 27, inclusive, and insert in lieu thereof the following:

"The terms 'eggs,' 'ranch eggs,' 'farm eggs,' or any terms similar thereto, when not otherwise modified, and when used on a sign or label, as provided in section 4 of this act, shall be construed to mean eggs of the quality and size herein defined as 'large extras' or better, and when so used need not be otherwise marked as to quality or size. If eggs of a lower quality grade or of smaller size are offered for sale, the consumer must be notified by a suitable sign or label of the correct quality and size as defined in sections 6 and 7 of this act. 'Dirty eggs' must be sold as such and the buyer must also be informed of the correct quality and weight or size as provided in sections 6 and 7. 'Checked or broken eggs' must be sold as such and the buyer must also be informed of the correct size or weight as provided in section 7. No eggs below the quality of 'standards' shall be sold to a consumer, except as provided in section 4 of this act."

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3 of the printed bill, strike out all of lines 28 to 37, inclusive.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3 of the printed bill, strike out all of lines 38 to 52, inclusive, and, on page 4, strike out all of lines 1 to 3, inclusive.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 4, of the printed bill, strike out the figure "10", and insert in lieu thereof the figure "9".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 15, of the printed bill, strike out the figure "11", and insert in lieu thereof the figure "10".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 23, of the printed bill, strike out the figure "12", and insert in lieu thereof the figure "11".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Agriculture and Live Stock.

Senate Bill No. 403—An act to provide for the inspection and certification of liquid eggs, frozen eggs and dried eggs and any other egg products imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with

respect thereto, and to provide penalties for violations of the provisions of this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

At the end of line 2 of the title of the printed bill, insert the following: "produced in the State of California and within the United States and".

Amendment adopted.

AMENDMENT NUMBER TWO.

Immediately following the enacting clause in the printed bill, insert the following: "SECTION 1. "Liquid eggs," "frozen eggs," "dried eggs" or other egg products intended for human consumption shall be prepared only from eggs that are edible and such "liquid eggs," "frozen eggs," "dried eggs," or other egg products intended for human consumption shall be prepared only under sanitary conditions that meet with the approval of all state rules and regulations prescribed under authority of the pure foods act in the State of California and the food and drugs act of June 30, 1906, as amended. Any "liquid eggs," "frozen eggs," or "dried eggs," or other egg products intended for human consumption prepared outside of the State of California, but within the United States, must bear a certificate of an authorized representative of the United States department of agriculture or the department of agriculture of the State of California, which certificate shall state that the "liquid", "frozen" or "dried" eggs or other egg products intended for human consumption have been prepared in accordance with the rules and regulations as above specified."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the words "SECTION 1", and insert in lieu thereof the following: "Sec. 2."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, strike out the figure "2", and insert in lieu thereof the figure "3".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 23, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "4".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 27, of the printed bill, strike out the last three words of the line, "to whom such", and strike out all of lines 28 to 31, inclusive, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 32, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "5".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 13, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "6".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 20, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "7".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 28, of the printed bill, strike out the figure "7", and insert in lieu thereof the figure "8".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3 of the printed bill, following line 35, insert the following:
"Sec. 9. This act shall take effect November 1, 1931."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 490—An act defining the civil liability for failure to control fire.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following:

"(4) allows any fire burning upon his property to escape to the property of another, whether privately or publicly owned, without exercising due diligence to control such fire, is liable to the owner of such property for the damages thereto caused by such fire."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 12 to 18, inclusive, and insert in lieu thereof the following:

"Sec. 2. The expenses of fighting such fires shall be a charge against any person made liable by this act for damages caused thereby. Such charge shall constitute a debt of the person charged and shall be collectible by the party, or by the federal, state, county, or private agency incurring such expenses in the same manner as in the case of an obligation under a contract, expressed or implied."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, after line 18, add the following:

"Sec. 3. This act shall not apply to or affect any existing rights, duties or causes of action, nor shall it apply to or affect any rights, duties or causes of action accruing prior to the date this act takes effect."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 491—An act to amend section 384 of the Penal Code, relating to fires.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 4, of the printed bill, strike out the word "May", and insert in lieu thereof "April".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, strike out the word "October", and insert in lieu thereof the word "December".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 5, of the printed bill, strike out the word "thirty-first", and insert in lieu thereof the word "first".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 6, of the printed bill, strike out the word "April", and insert in lieu thereof the word "May".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 6, of the printed bill, strike out the word "fifteenth", and insert in lieu thereof the word "first".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 6, of the printed bill, strike out the word "December", and insert in lieu thereof the word "October".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 7, of the printed bill, strike out the word "first", and insert in lieu thereof the words "thirty-first".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 20, of the printed bill, strike out the words "April fifteenth", and insert in lieu thereof words "May first".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 20, of the printed bill, strike out the word "December", and insert in lieu thereof the word "October".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 21, of the printed bill, strike out the word "first", and insert in lieu thereof the word "thirty-first".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 33, of the printed bill, strike out the words "April fifteenth", and insert in lieu thereof the words "May first".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 33, of the printed bill, strike out the word "December", and insert in lieu thereof the word "October".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 34, of the printed bill, strike out the word "first", and insert in lieu thereof the word "thirty-first".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 50, of the printed bill, strike out the word "any", and insert in lieu thereof the words "a camp".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 5, of the printed bill, after the word "thereof", strike out the period and insert the following: "or allow any such fire to spread after being built".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 807—An act defining the civil liability for failure to control fire.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out "defining the civil liability for failure to control fire", and insert in lieu thereof the following: "to authorize the division of forestry of the department of natural resources to purchase land for lookout sites and other administrative purposes".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 18, inclusive, and insert in lieu thereof the following:

"SECTION 1. The state division of forestry of the department of natural resources by and with the approval of the department of finance is hereby authorized to purchase land for lookout sites and other administrative purposes."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 408—An act to amend section 347½ of the Penal Code, relating to the sale and use of drugs.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, after the word "surgeon", strike out the word "or", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 13, of the printed bill, after the word "dentist", insert the following: "or veterinary surgeon".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 15, of the printed bill, after the word "prescriber", strike out the comma, and insert a semicolon and the following: "*provided, however,* that any prescription for phenolbarbital or any preparation, mixture or compound of phenolbarbital may be refilled,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 24, of the printed bill, after the syllable "cians", strike out the word "or", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 24, of the printed bill, after the word "dentist", insert the following: "or veterinary surgeon".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 70—An act to amend sections 9 and 19 of chapter 186, Statutes of 1907, entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration of drugs.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "chapter 186, statutes of", and insert in lieu thereof the following: "and to add sections 15a, 15b, 15c, 15d, and 15e to an act".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "1907,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, between lines 4 and 5, of the printed bill, insert the following:

"SEC. 2. A new section is hereby added to said act to be numbered 15a and to read as follows:

15a. The state board of health is hereby authorized to organize and establish local drug inspection and enforcement divisions thereof, with headquarters at such points and with jurisdiction over such territory as the said board shall by order specify. For the purposes of this act, the term "local food inspection and enforcement division" shall be construed to mean the local health department headed by the duly appointed, qualified and acting health officer of any county, city or city and county designated by order of said board to act as such division within the territory specified in such order, which territory may include one or more counties, cities or cities and counties.

SEC. 3. A new section is hereby added to said act to be numbered 15b and to read as follows:

15b. Such local drug protection and enforcement divisions shall each have power and it shall be their duty to make, or cause to be made, examinations and analyses of drugs on sale within the territory over which such local division has jurisdiction and suspected of being adulterated, mislabeled or misbranded, at such times and places and to such extent as the health officer of such local division shall determine. The health officer of any local drug protection and enforcement division, together with his deputies, shall have, within the territory over which such local division has jurisdiction, the same powers as are possessed by peace officers of this state.

SEC. 4. A new section is hereby added to said act to be numbered 15c and to read as follows:

15c. When an examination or analysis made pursuant to the provisions of section 15b hereof shows that any provision of this act has been violated, notice of the fact, together with a copy of the findings thereof, shall be furnished to the party or parties from whom the sample was obtained, or who issued the guarantee, as provided in this act, and a day and place shall be fixed by the health officer of the local drug protection and enforcement division, at which said parties may be heard before him. At least fifteen days notice of such hearing shall be served upon the parties interested, which hearing shall be private and confined to questions of fact. Appearances may be made in person or by attorney and testimony may be taken and evidence introduced as to the correctness of the findings made by the person making the examination or performing the analysis above referred to. If such examination or analysis be found correct, or if the party or parties fail to appear, after notice duly given as above provided, the health officer conducting the hearing shall certify the facts found to the district attorney of the county in which said

adulterated, mislabeled or misbranded drug was found, sold, or offered or exposed for sale. No publication as in this act provided shall be made until after said act is concluded.

SEC. 5. A new section is hereby added to said act to be numbered 15*d* and to read as follows:

15*d*. It shall be the duty of the sheriff of any county, in exercising the powers conferred upon him by section 9 hereof, to furnish samples of any and all adulterated, misbranded or mislabeled drugs seized or purchased by him as in said section 9 provided, to the health officer of the local drug protection and enforcement division, if any, having jurisdiction over the territory within which such seizure or purchase is made; and in carrying out the duties prescribed for him by section 16 hereof, it shall also be his duty to purchase an additional sample and forward the same to such health officer.

SEC. 6. A new section is hereby added to said act to be numbered 15*e* and to read as follows:

15*e*. The provisions of sections 15*a*, 15*b*, 15*c* and 15*d* hereof shall not be construed as repealing, either directly or by implication any of the existing sections of this act, but shall be construed as constituting an alternative method of enforcing the same and of carrying out the intent and purpose thereof.

The state board of health is hereby empowered to prescribe such rules and regulations relating to the operating of the "local inspection and enforcement division" as defined in section 15*a* as it may deem necessary to carry into effect the full intent and meaning of sections 15*a*, 15*b*, 15*c* and 15*d*."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 5, of the printed bill, strike out "Sec. 2.", and insert in lieu thereof "Sec. 7."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 5, of the printed bill, strike out "chapter 186, statutes of 1907," and insert in lieu thereof the following: "said act".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, strike out lines 14 to 24, inclusive, of the printed bill, and insert in lieu thereof the following:

"Whenever the director of the state department of public health or the director of the state laboratory or any agent or inspector of the state board of health shall find any article of drug adulterated, mislabeled, or misbranded within the meaning of sections 4, 5, and/or 6 of this act, said director of the state department of public health or director of the state laboratory may authorize seizure of such article of drug and order same be tagged "quarantined" and said article of drug shall not thereafter be sold, offered for sale, removed or otherwise disposed of until further notice in writing from either said director of the state department of public health or director of the state laboratory. Drugs found to be adulterated, mislabeled or misbranded within the meaning of this act may, by order of any court or judge, be seized and destroyed."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Public Health and Quarantine.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIXTY-NINE.

Senate Bill No. 169—An act to amend section 78 of the Political Code, relating to senatorial and assembly districts.

Bill read second time, previously.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McKinley moved to refer Senate Bill No. 169 to Senator Rochester, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 24, line 33, of the printed bill, strike out "to the center line of Occidental"; also strike out lines 34 to 37, inclusive, and in line 38 strike out "the center line of Hoover street".

AMENDMENT NUMBER TWO.

On page 44 of the printed bill, after line 4, add the following:

"SEC. 2. Any precinct, or portion of any precinct, not specifically described herein as constituting a portion of either a senatorial or assembly district, shall be attached to and constitute a part of the senatorial or assembly district adjacent thereto and situated within the same county or city and county, having, as shown by the last federal census a less population than any other such district adjacent thereto."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 169, with instructions to amend, respectfully reports the same back, amended as per instructions.

ROCHESTER, Committee.

Report read, and on motion of Senator McKinley adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

Senator Cleveland moved, seconded by Senator Ingels, that the Secretary be directed to issue a rush order for printing Senate Bill No. 169.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Rochester, Riley and Evans, on Senator Cleveland's motion that the Secretary be directed to issue a rush order for printing Senate Bill No. 169.

The roll was called, and Senator Cleveland's motion carried by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—33.

NOES—Senators Fellom, Treacy, and Tubbs 3.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 286 heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district.

Bill read third time, previously.

HOUR OF RECESS EXTENDED.

At one o'clock p.m., on motion of Senator Breed, the hour of recess was extended until the conclusion of the argument on Senate Bill No. 286.

The question being on the passage of the bill.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Nelson moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—35.

The Secretary announced the absentees.

Time, one o'clock and thirty-five minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.
COMMUNICATION.

The following communication was presented, and on motion of Senator Inman, ordered read, and printed in the Journal.

LOS ANGELES, CALIFORNIA, March 17, 1931.

U. A. Jones, Hotel Senator, Sacramento, California.

(Following lead editorial printed Wednesday. For just reapportionment.)

The Craig bill reported out by the Assembly Committee on Reapportionment obviously is the result of an effort to compromise the differences between northern and southern California as to the manner in which this State's delegation to the Lower House in Washington shall be divided. Of the 20 congressmen to which California is entitled under the 1930 census the bill provides that ten shall be chosen from the north and ten from the south.

To accomplish this, the committee has divided the north, along county lines, into ten districts, of which the average population is 257,615 and the south similarly, except that here the population of the average district is 310,112. The three districts comprising San Francisco and San Mateo counties have an average population of 237,138 each and the two formed of Alameda County 237,191, while the seven formed from Los Angeles County have an average population each of 315,498. Further, the total population of the ten northern districts, aggregated, is 2,576,143, and that of the southern ten, 3,101,118.

The inequity of the division and its failure to observe the constitutional provision that reapportionment shall be made in proportion to population is too obvious to require comment. Inspection of the totals shows further that the excess of population in the ten southern districts over those of the north is 524,975, or nearly twice the number established as the population basis per congressman, which is 283,862.

In other words, reapportionment according to the law would give to southern California at least eleven congressmen and to northern California no more than nine.

If there is anything which is thoroughly established as a result of southern California's ten-year fight for just representation in the State and national Legislatures, it is that reapportionment shall and must conform to the law and the constitution. The California State Chamber of Commerce, representing every part of the State, on December 5th, last, officially declared through the unanimous action of its directorate for reapportionment of congressional representation "in accordance with the provisions of the constitution of the United States" and "at the earliest possible moment." Governor Rolph is pledged to constitutional reapportionment and the leaders of both houses at Sacramento have agreed to it, at least in principle. By no significant element of any part of the State, save perhaps a few northern politicians long held balance of power, is its justice and pressing importance denied.

Why then should southern California consent to accept less than its due? It is true that, in defense of the ten-ten division, it is argued that the law provides that congressional districts must follow county lines and that, under this restriction, it is impossible to form them in such a way that the population of each shall be exactly or even closely approximating the official base number of 283,862. But this explanation falls far short of making clear why such necessary differentials should be so greatly to the advantage of the north and to the disadvantage of the south. The former's average district is 26,247 below the base number; the latter's 26,250 above it. The average San Francisco Bay district, under the proposed bill, is 46,724 persons short of the number required for each congressman; the average Los Angeles County district has 31,636 more persons each than the required number.

The plea is further made that, in order to give southern California the eleven congressmen to which, as a minimum, she is entitled, it would be necessary to assign eight congressmen to Los Angeles County and that, on the 283,862-per-

congressman basis, this county is entitled to only 7.78. As a matter of fact, making eight congress districts from Los Angeles County would give each district an average population of 276,061 persons, which average is 38,923 more than the average of each San Francisco district as allocated under the Craig bill.

It is declared that the ten-ten basis is the least which northern members of the Legislature will accept and that, if this is refused, they will block any reapportionment bill at all and will force the election of California's nine new congressmen at large; that is, from the State as a whole and from no particular districts. Votes enough to do this are claimed; whether they can be delivered in the face of the plain and just facts remains to be seen.

There is little to recommend the at-large system of electing congressmen and some affect to fear that, under this system, southern California might get even fewer congressmen than the north is now willing to concede her. This also remains to be seen; at least, it will be time enough to cross that bridge when we get to it. The many inequities from which this area has suffered in the past are gradually teaching us political solidarity and when southern California does learn to vote as a unit she has the ballots to get her dues.

Her rights are all southern California seeks. She wants no more; she should not be content with less.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 297—An act to amend section 692 of the Code of Civil Procedure, relating to the giving of notice of the sale of property under execution or under the provisions of any deed of trust.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 297 to Senator Cleveland as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out the word "of", last appearing thereon, and insert in lieu thereof the following: "in".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "in".

AMENDMENT NUMBER THREE.

On page 1, line 16, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "in".

AMENDMENT NUMBER FOUR.

On page 1, line 21, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "in".

AMENDMENT NUMBER FIVE.

On page 1, line 23, of the printed bill, strike out the word "of", and insert in lieu thereof the following: "in".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 297, with instructions to amend, respectfully reports the same back, amended as per instructions.

CLEVELAND, Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1358—An act to amend section 542 of the Code of Civil Procedure, relating to the method of levying an attachment upon real or personal property.

On motion of Senator Christian, Assembly Bill No. 1358 was ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1184—An act to provide for the compilation of, printing, binding, publishing, and distribution of a legislative manual or handbook, and to repeal all acts in conflict herewith.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 595—An act to amend section 694h of the Political Code, relating to the State Board of Agriculture.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1176—An act to amend section 820 of the Penal Code, relating to warrants of arrest.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, after the word "judge)", insert the words "or justice of the peace".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 169—An act to amend section 900 of the Code of Civil Procedure, relating to the lien of judgments rendered in justices courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 399—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of providing official documents.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 962—An act to amend section 818 of the Penal Code, relating to the issuance of warrants.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 963—An act to amend section 1600 of the Penal Code, relating to the confinement of prisoners by the sheriff.

Bill read second time, and ordered on file for third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At two o'clock and five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Nelson.

The Secretary was directed to call the roll on the passage of Senate Bill No. 286 of the Senators who had not answered to their names.

The roll was called, and Senate Bill No. 286 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Clock, Crittenden, Duval, Edwards, Evans, Hays, Ingels, Inman, Jones, McKinley, Mixter, Nelson, Riley, Sharkey, Slater, Swing, Waggy, and Young—22.

NOES—Senators Bush, Cassidy, Christian, Cleveland, Deuel, Fellom, Harper, Maloney, McCormack, Moran, Pedrotti, Rich, Rochester, Schottky, Treacy, Tubbs, and Williams—17.

NOTICE OF MOTION TO RECONSIDER.

Senator Allen gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 286 was passed.

SPECIAL ORDER.

Senator McKinley moved, seconded by Senator Iman, that Senate Bill No. 129 be made a special order for Thursday, March 19, 1931, at two o'clock p.m.

Motion carried.

SECRETARY JOSEPH A. BEEK AT THE DESK.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were presented and read:

ON ROADS AND HIGHWAYS

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 7—An act amending certain provisions of the State highways and classifying them as secondary highways—and the same under consideration, and respectfully reports the same to the Senate and recommends that it do pass.

Committee membership—10; committee vote: Ayes—11; absent—2.

EDWARDS, Chairman.

Assembly Bill No. 7 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 546—An act amending the Flamingo Bridge across the Colorado River—and the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—11; absent—2.

EDWARDS, Chairman.

Senate Bill No. 530 ordered on file for second reading.

SPECIAL ORDER.

Senator Riley moved that his resolution, relative to the appointment by the Senate of a committee to investigate the matters in dispute between the city of Los Angeles and some residents of Inyo and Mono counties, be made a special order for March 19, 1931, at eleven o'clock and thirty minutes a.m.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 505—An act to amend section 6200 of the Penal Code and to add thereto sections to the Penal Code to be numbered 6201 and 6202, relating to the protection of game—and the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—15; committee vote: Ayes—13; absent—2.

YOUNG, Chairman.

Senate Bill No. 545 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, March 17, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 1863—An act to amend sections 1148 and 1163 of the Penal Code, relating to the appearance of the defendant in criminal cases upon the return of the verdict therein and upon the pronouncement of judgment therein;

Also: Senate Bill No. 616—An act to amend section 270 of the Penal Code, relative to committing to provide child with necessities;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

ROCHESTER, Chairman.

Assembly Bill No. 1863 ordered on file for second reading.

Senate Bill No. 616 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 34—An act to amend section 537c of the Penal Code, relating to the purchase or sale of manufactured articles from which identification marks have been removed—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

ROCHESTER, Chairman.

Assembly Bill No. 34 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1073—An act to amend section 5 of and to add sections 10a and 18a to the State Civil Service Act, as amended, relating to examinations;

Also: Assembly Bill No. 374—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class;

Also: Assembly Bill No. 611—An act to amend the Political Code by repealing sections 4272 and 4272a and to add eighteen new, separate and distinct sections thereof, to be numbered consecutively 4272, 4272a, 4272b, 4272c, 4272d, 4272e, 4272f, 4272g, 4272h, 4272i, 4272j, 4272k, 4272l, 4272m, 4272n, 4272o, 4272p, 4272q, 4272r, relating to county and township officers in counties of the forty-third class, and providing for the compensation of said officers and said assistants and deputies and other employees;

Also: Assembly Bill No. 1577—An act to amend section 4274 of the Political Code, relating to compensation of county and township officers in counties of the forty-fifth class;

Also: Assembly Bill No. 1578—An act to amend section 2322x48 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-eighth class;

Also: Assembly Bill No. 1589—An act to amend section 4275 of the Political Code, relating to compensation of county and township officers in counties of the forty-sixth class;

Also: Assembly Bill No. 713—An act to add a new section to the Civil Code to be numbered 2016, defining the liability of the master to his servant when requiring such servant to wear a uniform or special dress in performing the duties of the employment.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1073 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 374, 611, 1577, 1578 and 1589 read first time, and referred to Committee on County Government.

Assembly Bill No. 713 read first time, and referred to Committee on Labor and Capital.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1746—An act to amend section 1 of an act entitled "An act to establish a Legislative Counsel Bureau and making an appropriation therefor," approved May 23, 1913, as amended, relating to the Legislative Counsel of California.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1746 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 17th passed Assembly Bill No. 999—An act to amend section 84 of the Public Utilities Act, relating to rules and regulations in the interest and aid of public health, security, safety, convenience and general welfare.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 999 read first time, and referred to Committee on Public Utilities.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Williams:

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit within which existing corporations shall maintain required minimum membership.

Request referred to Committee on Rules.

ADJOURNMENT.

At two o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Thursday, March 19, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Thursday, March 19, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 18, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Isleton Union school, Mrs. Gladys Rose, teacher, and pupils as follows: Edward Shimizu, Tatsuo Egi, Charlie Owyang, June Ishii, Alice Otsuka, Annie Yokoo, Seishi Nakayama, Tamio Takehana, George Chong, Kazuo Fukuhara, Haruko Ogawa, Ifumi Ogawa, Matsuko Suehiro, Mary Sing Yim, Norman Fujimoto, Ben Furukawa, Fred Hayashida, Shigeru Hoshiko, Fred Matsumoto, Eddie Nakano, Bobbie Sawada, Johnny T. Sumii, Mable Furukawa, Jane Hirata, May Ike, Chiyoko Matsumoto and Chitoye Sasaki.

On request of Senator Clock, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. A. T. Jergins of Long Beach, California.

On request of Senator Cassidy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lincoln Union grammar school, with teachers and eighth grade pupils as follows:

Clara Aguiar, Yasuko Asazawa, Helen Beaulieu, Marjorie Bryan, Virginia Christensen, Hattie Lucas, Lucy Morelli, Bessie Phillips, Nadine Strang, Vera Sahrakoff, Anita Shabaro, Alice Tindell, Margaret Savage, Vernon Aguiar, James Alderete, Charles Briggs, Leroy Crook, August Delgrosso, Julio Delgrosso, Robert Hellewell, Lorenzo Melendrez, Joe Nunes, Carlos Olivas, Robert Wiswell, Eugene Sorenson, Joe Mendoza, Floyd Stevenson, George Souza, Louie Vasion, Leonard Wilson, Franklin Riberro, Irving Razier, James Price, Masato Shintaku and Masayuki Nakata; Mr. Dudley Hayt, chairman board of trustees; Alton Jones, bus driver, and Edythe Baker and Karl O. Bayless, teachers in charge of group.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to David Lubin junior high school; teachers, Miss Ruth Holiday and Mrs. Florence Phillips, and pupils as follows: William Beattie, William Butler, Beverly Butler, Gladys Bradley, Barbara Baisden, Dick Coshow, Martin Clark, Stanley Dillman, Stephen Downey, Phylliss Denham, Dora Dinelli, Everett Farber, Gordon Fleury, Catherine Farria, Ronald Gates, Mary Geary, Dora Grant, Edward Hilliard, Jack Harrison, Traver Hilby, Barbara Haag, Kathleen Howell, Violet Homsey, Stanley Johansen, Curtis James, Beth Jenne, Yvette Johnson, Mildred Landsberg, Miriam Lubin, Pauline Lissman, Arthur Moore, Ralston Maloney, Eileen McCall, Catherine McCarthy, Lois Manchester, Eleanor Martin, Genevieve Nelson, Burtis Presley, Tom Perkins, Ralph Pearl, Frank O'Brien, Bill Rooney, Maurine Reeser, Vivian Reeser, Bernadine Reichers, Vivian Rowland, Edna Reichmuth, Helen Sarver, Charlotte Santos, Gladys Scotland, Elizabeth Smith, George Turner, Allan Tidwell, Kenneth Trowe, Martha Uhlman, Jean Willet, Emelie Waggoner and Charlotte Williams.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Convent of Notre

Dame of Marysville, California, students, chaperones, and sisters as follows: High school students: Elsa Dententer, Mary Farnan, Helen Hageman, Roberta Mason, Elsie Risetto, Mary Stennett, Elinor Arnoldy, Purita Arostegui, Claire Berg, Alice Brady, Alverda Enos, Helen O'Brien, Edith Martin, Mary Martin, Theresa Reheman, Rose Belza, Louise Brady, Mary Dalpaz, Frances King, Mary Machado, Jane Rednall, Rose Sargent, Helen Thomas, Imelda Webdell, Mary Louise Williams, Doris Andreason, Evelyn Casey, June Christiansen, Adelaide Fleshman, Eleanor Frandrup, Gloria Griffin, Mary Jane Hovis, Barbara Jakes, Mary Mendiola, Dorothy Mason, Frances Meranda, Katherine Troncatty and Dolores Sauer; seventh and eighth grade students: Betty Troncatty, Stella Shaffer, Loretta O'Connor, Jane Heisinger, Margaret Morrison, Helen Coronado, Marie O'Sullivan, Ruth Birdneau, Maryen Mills, Margaret Walsh, Kathryn Sullivan, Jane Anne Smith, Emelda Dententer, Carmen Mendiola, Corinne Dingey, Ruth La Cazette, Anita Iribarren, Winifred Madigan, Oscar Odegaard, John Murphy, James Baldwin, Kenneth Cable, Edward Mills, Francis Booth, Laurence Rossi, John Iribarren, Walter Albrecht and Daniel McAuliffe; chaperones: Mrs. J. Sullivan, Mrs. Clarke, Mrs. D. McAuliffe, Mrs. Christiansen, Mrs. Cheflaunkas, Miss E. Provines, Miss E. Larson and Miss F. Coppedge; Sisters Monica, Margaret, Julie Marie, Elizabeth, Mary Loretto and Pauline Marie.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Williams to introduce a bill entitled: "An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit within which existing corporations shall maintain required minimum membership"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called, in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Williams (by request): Senate Bill No. 932—An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit

within which existing corporations shall maintain required minimum membership.

Bill read first time, and referred to Committee on Insurance.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 759—An act to amend section 71 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents and employees and by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended—and reports that the same has been correctly engrossed.

RILEY, Chairman.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 289—An act to amend chapter 207, Statutes of 1921, entitled "An act to authorize counties to cooperate with the Secretary of Agriculture of the United States for the survey, construction and maintenance of roads and trails, and to pay part of the expenses thereof, pursuant to the provisions of section 8 of the act of Congress approved July 11, 1916, entitled 'An act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes,'" approved May 23, 1921, relating to roads and trails—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—8; noes—3; absent—2.

EDWARDS, Chairman.

Senate Bill No. 289 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 25—An act to amend sections 851, 852, 852a, 853, 854, 855, 857, 858, 859, 860, and 861 of Chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—9.

HARPER, Chairman.

Assembly Bill No. 25 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 8½ of article XI of the constitution of said State, relating to city charters and to the mode of elections held thereunder—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be adopted as amended.

Committee membership—9; committee vote: Ayes—9.

HARPER, Chairman.

Senate Constitutional Amendment No. 9 ordered on file.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 166—An act to amend section 470 of the Civil Code, relating to the use of streets and public land or water within incorporated cities or towns:

Also: Senate Bill No. 186—An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening

or straightening, in whole or in part, of public highways and roads, streets, squares, lanes, alleys, courts and places within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees;

Also: Assembly Bill No. 24—An act to amend sections 868, 870, 871, 872, 873, 874, 875, 876, 878, 879, 880, 881, 882, 883, and 884 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—9.

HARPER, Chairman.

Senate Bills Nos. 166 and 186 ordered on file for second reading.
Assembly Bill No. 24 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 578—An act to amend section 6 of chapter 52, Statutes of 1917, entitled "An act providing for the creation, organization, and government of joint highway districts composed of two or more counties of the State of California," relating to estimates and surveys—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—11; absent—2.

EDWARDS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Roads and Highways, the following amendment to Senate Bill No. 578 was read, and adopted:

AMENDMENT NUMBER ONE.

Strike out all of said bill, including the title but excepting the number, and insert in lieu thereof the following:

"An act to amend the title of and to revise that certain act entitled: "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California." Approved April 5, 1917, as amended.

The people of the State of California do enact as follows:

SECTION 1. The title of that certain act entitled: "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California" is hereby amended to read as follows:

"An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California, and providing for the issuance of bonds and the levy and collection of all taxes, assessments and other moneys necessary for the retirement and payment thereof, and for the payment of the costs of all acquisitions and improvements and other expenses hereunder."

SEC. 2. Said act is hereby revised to read as follows:

Section 1. Short title of act. This act shall be known as, and whenever cited, referred to, or amended, may be designated as the Joint highway district act and by such designation shall be sufficiently identified in any proceeding hereunder or in any court action or proceeding or legislative enactment in which this act is referred to.

Sec. 2. Districts for highway purposes. Joint highway districts, to be composed of two or more counties in the State of California, may be created, organized and governed for the purpose of constructing public highways and appurtenances thereto within such districts, in the manner as in this act provided. The word "county" as used in this act shall be deemed to mean and shall include any "city and county".

Sec. 3. General powers of districts. Any joint highway district organized or reorganized under the provisions of this act shall through its board of directors have power—

To lay out, construct, improve and maintain highways as specified in this act.

To levy and impose taxes and assessment taxes upon property within the boundaries of the district and issue bonds as in this act provided.

To accept in the name of the district all gifts, donations or contributions from any source whatsoever made to further the purposes of this act, and the counties composing any district organized hereunder may convey such public highways or rights of way as may be utilized as a part of or in connection with any highway or

highways authorized to be constructed, improved or maintained under the provisions of this act.

To exercise the right of eminent domain for the purpose of acquiring lands or rights of way for any of the purposes authorized under the provisions of this act; and for such purposes the board of directors of any district organized hereunder shall first adopt a resolution declaring that the public interest and necessity require the acquisition of the lands or rights of way which shall in said resolution be set forth and described and shall be declared to be necessary for such purposes. The adoption of said resolution as aforesaid shall be conclusive evidence of the following, viz:

(1) Of the public necessity of the construction or improvement for which such condemnation is proposed.

(2) That the condemnation and acquisition of such property or rights of way is necessary therefore.

(3) That the proposed improvement and construction and property or right of way to be condemned are planned and located in the manner which will be most compatible with the greatest public good and the least private injury.

To acquire and use such personal property as may be necessary for the exercise of the powers herein granted.

To employ such labor and services as may be necessary in the opinion of the board of directors.

To arrange for the safe-keeping of all funds belonging to the district and to this end shall appoint a treasurer and depository and exact from such treasurer and depository such surety bonds or other security as may be proper in the opinion of the board of directors.

To sue and to be sued.

To adopt a seal.

Any district organized hereunder shall have and exercise the powers expressly granted in this act together with such powers as are reasonably implied therefrom and necessary and proper to carry out the objects and purposes of this act.

Sec. 4. Resolution proposing organization of district. The board of supervisors of any county may initiate proceedings proposing the creation of a joint highway district under the provisions of this act to be composed of two or more counties of the state, by the adoption of a resolution reciting the following:

(1) That the public interest requires the construction or improvement of one or more public highways and the acquisition of any necessary rights of way therefor, stating generally the location and extent thereof.

(2) The names of the counties proposed to be included in the proposed district and which will be benefited by the construction or improvement of the proposed highway or highways.

(3) That it is proposed to create a joint highway district under the provisions of this act composed of the counties so named.

When adopted, certified copies of such resolution shall be transmitted to the several clerks of the boards of supervisors in each of the counties named in the said resolution other than that in which the proceedings are initiated.

Upon the adoption of such resolution the board of supervisors of the county adopting the same shall name and appoint a member of said board of supervisors to represent said county upon the board of directors of the joint highway district proposed to be organized.

Sec. 5. Approval by boards of supervisors. Upon receipt of a copy of the resolution adopted as provided in section 4 hereof, the boards of supervisors of the several counties affected and to whom the same may be directed, shall consider the advisability of creating and organizing a joint highway district as proposed in said resolution, and upon determining the facts involved therein shall severally adopt resolutions either rejecting or approving the proposal to create such joint highway district. Each resolution of approval shall in addition to the matter otherwise required therein also name and appoint a member of the board of supervisors of the county adopting such resolution, to represent such county upon the board of directors of the proposed joint highway district. A certified copy of such resolution of approval shall be forthwith transmitted to the clerk of the board of supervisors initiating the proceedings.

Sec. 6. Confirmation of district organization. The board of supervisors of any county initiating proceedings for the creation of a joint highway district shall after receipt of a copy of resolution approving proposal to form such joint highway district as provided in section 5 hereof from the board of supervisors of each county proposed to be included within any such joint highway district (the passage of the resolution herein provided in section 4 hereof by the board of supervisors of the county initiating proceedings shall constitute a sufficient approval in behalf of said county) adopt a resolution declaring the creation and organization of a joint highway district and setting forth the names of the counties composing said district. A certified copy of said resolution shall be transmitted to and filed with the secretary of state of the State of California, whereupon the said joint highway district shall be deemed created and organized and shall exercise all of the powers granted in this act and shall constitute and be a public corporation under the name and designation of Joint highway district No. _____ of the State of California. All districts organized under the provisions of this act shall be numbered in the order of their creation, such number to be assigned to said district forthwith upon the

organization thereof by the secretary of state, and the secretary of state shall keep and maintain in his office a list and register showing the joint highway districts organized under the provisions of this act. The secretary of state shall furnish and transmit to the clerk of the board of supervisors of the county adopting the initial resolution for the organization of any district hereunder, a certificate of the organization of the same and upon receipt of such certificate such clerk shall within ten (10) days after the receipt of the same notify the clerks of the several boards of supervisors of the counties constituting said district advising them of the fact of such organization, and said clerk shall within said time, also notify the director of public works of the State of California and each supervisor appointed as a member of the board of directors of such district of such fact and of the time and place of the first meeting of the board of directors of such district. Such time and place of meeting to be fixed and determined by said clerk, but the said time of meeting shall be within thirty (30) days after the date of mailing notices thereof.

Sec. 7. Board of directors. All joint highway districts organized under the provisions of this act shall be managed by, and the powers herein conferred upon such district shall be exercised by a board of directors appointed as herein provided. The members of such board of directors shall serve during the pleasure of the appointing power. The members of the board of directors shall receive no compensation for their services, but shall be allowed the actual expenses incurred by them in connection with the discharge of their duties under the provision of this act. The term of office of any member of the board of directors shall immediately cease and determine upon the termination of the term of office of such director as a member of the board of supervisors of a county within the district, except that this provision shall have no application to a member appointed by the director of public works of the State of California as hereinafter provided. In the event that an even number of counties comprise any joint highway district, an additional member of the board of directors shall be appointed by the director of public works of the State of California not later than five (5) days prior to the date of the initial meeting of the board of directors of such district. Such additional director shall be a member of the board of supervisors of any county within such district or any owner of real property residing within the boundaries thereof. In the event of any vacancy occurring on the board of directors of any district the appointive power appointing such director shall forthwith appoint a successor to fill such vacancy.

Upon the organization of any district under the provisions of this act it shall be the duty of the persons named and appointed as members of the board of directors thereof to meet at the time and place fixed for the initial meeting thereof as hereinabove provided. A majority of the members of the board of directors shall constitute a quorum, and in the absence of a quorum, any lesser number of directors may adjourn the meeting from time to time until organization of the board of directors has been completed. At the initial meeting of the board of directors above referred to, the members thereof shall proceed to organize by selecting from among its membership a president, vice president and secretary who shall severally perform such duties as may be from time to time prescribed by the board of directors.

The board of directors shall fix a place or places within the district for the transaction of business, and may hold meetings from time to time in any place that will, in the opinion of said board, best serve the interest or convenience of the said board of directors and the public. A majority of the members of the board of directors shall be necessary to constitute a quorum for the transaction of business. The board shall have power to make all necessary rules relative to the orderly transaction of its business and the business of the district.

Sec. 8. Additional officers and employees. The board of directors shall appoint a treasurer and a district engineer, and may appoint an assistant secretary. The board of directors may employ such clerical, legal or additional engineering service as may be in its discretion be required, and fix the compensation to be paid to any officers, persons or employees of the district; *provided, however*, that no officer of any county shall receive any compensation for services rendered in behalf of the district in any capacity whatsoever.

The treasurer of the district shall be a resident therein and a person competent in the handling of financial matters. Such treasurer shall furnish a bond to the district in form and amount satisfactory to the board of directors before entering upon the duties of his office. The treasurer shall have charge and custody of all of the funds of the district and he and his bondsmen shall be responsible for the safe-keeping of the same. The treasurer shall deposit all funds of the district in a depository to be designated by the board of directors. The treasurer shall make report of the funds in his possession as required by the board of directors, and shall perform all the duties required of him under the provisions of this act, together with such additional duties as may from time to time be prescribed by the board of directors.

The district engineer shall be a duly qualified civil engineer, licensed to practice as such under the laws of the State of California. He shall perform all of the engineering services and duties required of him under the provisions of this act and such additional services as the board of directors may determine and require.

The assistant secretary, if one be appointed, shall perform such duties as the board of directors may determine, and shall perform all of the duties and functions of the secretary under the direction of the secretary, or in his absence.

Sec. 9. Contingent fund. Immediately following the organization of any joint highway district under this act, it shall be the duty of the several boards of supervisors of the counties composing such district to provide such district with a sufficient contingent fund to enable such district and its officers to perform the functions and duties in this act prescribed. The proportionate contributions of the several counties within the district may be suggested to the several boards of supervisors thereof by the board of directors of the district and the board of directors shall from time to time report to said board of supervisors its requirements and in general its expenditures. The boards of supervisors of the counties within the district may contribute to said contingent fund from any moneys or funds of the several counties not otherwise appropriated, including any moneys received by such counties as a result of any tax or license upon motor vehicles or motor vehicle fuels, whether the same are received through the State of California or otherwise. The State of California may contribute to the contingent fund such or any amount that it may desire out of any moneys or funds usable for joint highway district purposes. The State of California may, through the director of public works, designate the purposes for which any money contributed to the contingent fund may be used and the purposes named may be any which are authorized under the provisions of this act.

Sec. 10. Purposes of contingent fund. The contingent fund provided to be created in section 9 hereof may be used for any purpose necessary to create and maintain the organization of the district, to make reconnaissance, preliminary and final location surveys, and all necessary or proper engineering, legal or clerical work incident to the organization and operation of the district, or the laying out, construction or improvement of any highway or highways to be constructed under the provisions of this act. The contingent fund may also be used for the purpose of procuring any and all necessary lands or rights of way usable for the purposes for which any district is created.

Sec. 11. Preliminary surveys. It shall be the duty of the board of directors of any district organized hereunder, as soon as practicable after the organization of such board of directors, to cause the route of the highway or highways proposed to be constructed or improved by the district, to be tentatively located. For this purpose the board of directors may employ all necessary engineering and other assistance and shall cause such preliminary surveys to be made as in the judgment of the board of directors may be required. All engineering work performed in any district organized hereunder shall be under the direction and control of the district engineer duly appointed by the board of directors. The district engineer shall make a preliminary report to the board of directors setting forth the result of his preliminary surveys and showing the tentative route of the highway or highways proposed to be constructed or improved together with an estimate of the approximate cost of construction, the incidental expenses thereof and the estimated cost of the acquisition of any necessary property or rights of way therefor. In his report the district engineer shall also recommend an apportionment of the construction and other costs among the several counties that are members of the district and the State of California, if any contribution is to be requested from the state. The district engineer shall also in his report recommend a method or methods for financing the project. Upon the completion of said report the district engineer shall cause the same to be filed with the secretary of the board of directors of the district.

Sec. 12. Report by board of directors. As soon as is practicable after the filing of the engineer's report provided for in section 11 hereof, the board of directors of the district shall give full consideration to the same and shall formulate a report of the project or projects for which the district is organized. Said report shall contain the following:

1. A general description of the approximate route and location of the highway or highways proposed to be constructed or improved;

2. The estimated cost of said construction or improvement;

3. The general location and extent of any property or rights of way necessary for the said construction or improvement or of the unit proposed for immediate construction, together with the estimated cost of obtaining the same;

4. A statement and recommendation of the portion or unit of the project which the board of directors recommends for immediate construction, which may be the whole or any part of the project proposed;

5. A statement of the estimated cost of any unit proposed to be immediately constructed in the event that the board of directors determines upon the construction of any unit less than the whole;

6. A statement of the method of financing proposed by the board of directors;

7. A statement of the amount of contribution to be requested of the State of California, if any;

8. A statement of the proportionate amounts of the cost of the unit proposed to be borne within the several counties composing the district, after deducting the contribution of the State of California, if any;

9. If a unit is proposed for immediate construction that is less than the whole project, a statement of a proposed program for the construction of other units to complete the project.

Sec. 13. Approval by state of contribution to district. If the report above provided for contains a request for a contribution from the State of California, a certified copy of the said report shall immediately upon its adoption by the board of directors be transmitted to the director of public works of the State of California. Thereupon the department of public works of the State of California shall consider the report so filed and may with respect to said contribution reject the request for such contribution or approve the same, and may reject or approve the said report in whole or in part, or may suggest modifications thereof. The said department of public works shall through its proper officers, boards or commissions, pass upon the said request for contribution and the said report within sixty (60) days after the receipt of any such report by the said director of public works. The failure to act within said period shall operate as a rejection in behalf of the State of California. If the whole or any part of the project proposed in the report is approved and a contribution by the State of California is recommended, the state highway commission of the State of California shall thereupon adopt a resolution setting forth the amount of such contribution, the time and manner of payment thereof and the purposes for which the same shall be used. Upon the adoption of any such resolution by the said state highway commission and the approval of the report, or such portion thereof as may be proper, by the director of the department of public works, the State of California shall be committed and obligated to make the contributions specified, out of any funds which may be available for joint highway purposes and the director of public works shall issue a certificate and transmit the same to the secretary of the district showing the decision of his department upon the said report, setting forth the amount of contribution, if any, and the terms relative to the payment thereof. The board of directors may amend its preliminary report provided for in section 12 hereof to conform with any suggestions or recommendations of the department of public works or the state highway commission.

Sec. 14. Report to counties in district. Upon the receipt of the certificate from the director of public works provided for in section 13 hereof, or if no contribution is requested from the State of California, then upon the adoption of the report, the board of directors shall transmit certified copies of their preliminary report provided for in section 12 hereof to the several boards of supervisors of the counties composing the district. Upon receipt of said report the several boards of supervisors shall forthwith consider the same and shall within sixty (60) days after receipt of the same, by resolution adopt or reject the said report. Failure of any board of supervisors to so act within said time shall be deemed a rejection, but such rejection or a rejection by other means shall be without prejudice to the submission of a new or amended report by the board of directors of the district at any time. Each board of supervisors shall cause a certified copy of its resolution adopting or rejecting said report to be sent to the secretary of the board of directors of the district.

Sec. 15. Limit on obligation of counties and state. No county within any district organized under the provisions of this act shall be obligated or committed hereunder unless and until the board of supervisors thereof shall have approved the report of the board of directors of the district provided for in section 12 hereof and unless and until said report shall have been approved by the boards of supervisors of all other counties in the district. The obligation of the State of California for any contribution as provided for in section 13 hereof shall be contingent upon the approval of the several counties comprising the district, of the balance of the costs of the project or particular unit thereof proposed to be immediately constructed.

Sec. 16. Final plans and specifications. After receiving the certificate of commitment for contribution by the State of California, if any, and certified copies of the resolutions of all the boards of supervisors of all of the counties comprising the district, approving the report provided for in section 12 hereof, the board of directors of said district shall be empowered to proceed with final surveys, the preparation of final plans and specifications, the award of contract or contracts and the acquisition, construction and improvement of the highway or highways constituting the project reported under section 12 hereof or such unit thereof as is proposed for immediate construction. To this end the board of directors is empowered, and it shall be its duty, to cause all necessary final surveys, plans, specifications and detailed drawings to be made and prepared by the district engineer. Upon completion thereof the surveys, plans, specifications and detailed drawings shall be filed with and approved by the board of directors of the district. Said final surveys, plans, specifications and detailed drawings shall include a final estimate of cost and shall not be approved by the board of directors of the district except that such final estimate does not exceed by more than ten per cent (10%) the estimate named in the preliminary report of the district engineer or unless and until the increase in estimated costs be approved by the board of supervisors of each county comprising the district, and the director of the department of public works of the State of California. Upon the adoption of the final surveys, plans, specifications and detailed drawings by the board of directors, a certified copy thereof shall be transmitted to the director of public works of the State of California for his approval.

Sec. 17. Construction work by public contract. All construction work under the provisions of this act shall be done by contract let and awarded to the lowest regular responsible bidder upon the same after advertisement for bids therefor shall have first been made by publication twice in a newspaper of general circulation published and circulated within the district. The first publication of the notice inviting bids shall be not less than ten (10) days prior to the time fixed for receiving such bids. The notice inviting bids shall be upon such terms and conditions as the board of directors of the district may determine and shall require that each bid be accompanied by a check payable to the joint highway district in an amount not less than ten per cent (10%) of the aggregate amount of the bid accompanying the same and certified to by some responsible bank within the State of California, or by a cashier's check in said amount so payable issued by a responsible bank in the State of California. All bids shall be delivered to the secretary of the board of directors of the district not later than the hour fixed for receiving the same and shall thereafter be publicly opened by the said secretary in the presence of the board of directors assembled in public session. No bid shall be considered unless accompanied by a certified check satisfactory to the board of directors. The board of directors may reject any and all bids should it deem this necessary for the good of the district and may also reject the bid of any bidder who has been delinquent or unfaithful in any former contract with the district, any county composing said district, or the State of California, or any bidder who is unable to satisfy the board of directors of the ability, financially or otherwise, of said bidder, to perform the contract for the proposed construction work. All bids other than the lowest regular acceptable bid of a responsible bidder shall be rejected by the board of directors.

Sec. 18. Contracts and bonds. The bidder to whom any contract is awarded under the provisions of this act shall execute a contract in a form approved by the attorney for the district within twenty (20) days after the date of the award of such contract by the board of directors. Before being entitled to a contract the successful bidder shall execute bonds for the faithful performance of the contract and for the payment of all claims for labor and material thereunder in the manner provided by law and in the form approved by the attorney for the district. All of said bonds shall be executed by the bidder and by a corporate surety duly authorized to do business as such under the laws of the State of California and in amounts which shall not be less than fifty per cent (50%) of the aggregate contract price for each bond. All contract bonds furnished as provided in this section in addition to the other requirements herein provided shall be approved by the president of the board of directors of the district and the district engineer prior to the execution of contract in behalf of the district. The president or vice president and secretary or assistant secretary shall sign and attest all construction contracts under the provisions of this act. All construction contracts under this act shall contain a provision that a maximum of eight (8) hours shall constitute a day's labor and three dollars (\$3) shall be the minimum amount paid for such day's labor performed upon any construction work hereunder. In the event that any bidder to whom a contract shall be awarded under the provisions of this act shall fail to enter into contract and execute bonds as herein provided, the board of directors of the district shall declare the certified check accompanying the bid of such bidder to be forfeited and upon cashing same the proceeds shall be placed to the credit of the construction fund of the district. The board of directors may thereupon award the contract to the next lowest responsible and acceptable bidder, or may call for new bids.

SEC. 18a. Financing of projects. It shall be the duty of the board of directors of any joint highway district organized under the provisions of this act to provide for the financing of any projects to be constructed hereunder in one or more of the methods in this act prescribed. Upon the award of contract for the construction of any project or unit thereof under the provisions of this act, the board of directors of the district shall be obligated to provide for the payment of the cost thereof unless such provision shall have already been made prior to such award of contract.

Sec. 19. Levy for costs. A levy shall be made within and upon the several counties composing any joint highway district organized under the provisions of this act to provide for the payment of the costs and expenses of any acquisitions of property or rights of way, construction or improvement under the provisions hereof. The board of directors of any district is empowered to make such levy as herein-after provided. Said board of directors shall adopt a resolution setting forth in general terms the project or portion thereof, to defray the costs and expenses of which the proposed levy is to be made and giving the amount of money proposed to be raised by such levy which amount may be the total estimated amount payable under any contract awarded for construction or improvement, or for any portion thereof, or for any excess of cost over the amount of any past levies already made for the same purpose. From the amount of any such levy shall first be deducted any amount contributed or to be contributed thereto by the State of California under the provisions of this act and the balance of the said levy shall be distributed among the several counties composing the district in the proportions set forth in the report of the board of directors adopted pursuant to section 12 hereof. Said resolution shall specifically set forth the sum of money levied within and upon each county within the district and shall briefly recite the facts requiring the levy. After the adoption of such resolution a certified copy of the same shall be forthwith trans-

mitted to the clerks of the several boards of supervisors of the counties composing the district whereupon the said counties shall be obligated to pay the amount of said levy in the manner herein provided and unless other provisions for financing are made. At least one-fifth ($\frac{1}{5}$) of the total amount levied within and upon each such county shall be paid into the treasury of the district by such county within ninety (90) days after the resolution providing for the levy has been adopted by the board of directors of the district. The board of supervisors of each such county is hereby authorized to and obligated to make such payment and may make payment of the entire amount of the levy made but not less than one-fifth ($\frac{1}{5}$) of the total thereof. For the purpose of any such payment the board of supervisors of the several counties within the district may utilize any moneys or funds of the several counties not otherwise allocated or appropriated, including any moneys received by such counties as the result of any tax or license upon motor vehicles or motor vehicle fuels whether through the State of California or otherwise.

Sec. 20. Financing deferred amounts. If the board of supervisors of any counties within the district shall not pay the entire amount of any levy made under the provisions of section 19 hereof within the time therein prescribed, the board of directors of the district shall provide for financing the same in not to exceed four (4) annual installments additional to the one prescribed in said section 19. Any one or more of the methods of financing in this act prescribed may be used by the board of directors.

Sec. 21. Revenue bonds. The board of directors of any district organized hereunder may cause revenue bonds to be issued upon the security of the anticipated unpaid installments of any levies made within and upon the counties within the district in the manner following, to wit: Said revenue bonds shall be payable out of a fund of the district to be designated "Joint highway district No. _____ of the State of California revenue bond fund" and into which shall be paid all sums necessary for the retirement of any bonds issued hereunder. The board of directors shall prescribe the denominations of such bonds which shall mature serially in convenient amounts not necessarily equal. Such bonds shall bear such rate of interest not to exceed six per centum per annum as may be determined by the board of directors and shall be in substantially the following form (filling in blanks as appropriate):

Revenue Bond.

Joint highway district No. _____ of the State of California.

\$ _____ Bond No. _____ Series _____

Under and by virtue of an act of the Legislature of the State of California known as the "Joint highway district act", the treasurer of Joint highway district No. _____ of the State of California will pay to the bearer, out of the fund hereinafter designated, at the office of the treasurer of said district, on the _____ day of _____, 19____, the sum of _____ dollars, in legal tender of the United States of America, with interest thereon in like legal tender at the rate of _____ per centum per annum, payable semiannually on the second day of January and the second day of July of each year from the date hereof (except the last installment thereof, which shall be payable at the maturity of this bond), upon presentation and surrender, as they respectively become due, of the proper interest coupons hereto attached, the first of which is for interest from date hereof to the next date of interest payment, and the last for interest to maturity hereof from the last preceding date of interest payment. This bond is issued under and in conformity with the provisions of the above mentioned "Joint highway district act" and amendments thereto, relative to the issuance of revenue bonds and is a primary obligation of the Joint highway district above named.

This bond is payable out of the "Joint highway district No. _____ of the State of California revenue bond fund", in accordance with the provisions of said "Joint highway district act".

It is hereby certified, recited and declared that all proceedings, acts and things required by law precedent to or in the issuance of this bond have been regularly had, done and performed, and this bond is by law made conclusive evidence thereof.

In witness whereof the board of directors of said Joint highway district has caused this bond to be signed by the treasurer of said district, attested by the secretary of said board, and the official seal of said district to be affixed hereto, this _____ day of _____, 19____.

[SEAL.]

Treasurer of Joint highway district No. _____ of the State of California.

Attest:

Secretary of the board of directors.

Said bonds shall be dated as of the date of the resolution or order of the board of directors authorizing their issuance, and the interest thereon shall be payable in the time and manner herein provided and as provided in the bond form above set forth. The board of directors may use any available moneys of the district, not already allocated to some other purpose, for the payment of any interest or principal due or past due on any revenue bonds of the district, and may advance moneys of the district for such purposes and in the event of such advancement shall be entitled

to reimbursement in the amount thereof out of any levies thereafter made or any moneys thereafter collected and applicable to the payment of such bonds.

All revenue bonds issued under this act shall be signed by the treasurer of the district, attested by the secretary of the board of directors thereof and shall have the official seal of the district attached thereto. The interest coupons attached to said bonds shall be in such form as the said treasurer shall determine subject to the provisions of this act and the determination of the board of directors, and the signature on said interest coupons shall be that of said treasurer and may be either written or engraved or printed facsimile. The principal and interest of any revenue bonds issued under the provisions of this act shall be payable in legal tender of the United States of America at the office of the treasurer of the district issuing the same. Said revenue bonds shall be serial in character and an approximately even proportion of the total amount of each issue shall be payable annually; *provided*, that the amount of the principal due in each annual payment need not be exactly the same but with respect to each installment excepting the last may be made to differ not more than five hundred dollars (\$500) from the amount obtained by dividing the total of the principal amount due under the bonds, by the number of installments which shall not exceed four; the last installment shall be for the balance of the total principal amount not provided to be paid in the previous installments.

The revenue bonds shall be issued at such times and manner and in such amounts as may be required to meet the requirements for the payment of demands of the district as may be determined by the board of directors. The bonds so issued shall be sold in such amounts and at such times and in such manner as the board of directors may determine, or they may be delivered to any contractor performing any work or improvement for the district, at par, in satisfaction of any sum due upon any contract therefor.

The State board of control of the State of California is hereby authorized to purchase such bonds and pay for them out of any surplus money in the state treasury which, in its judgment, is not required for governmental purposes prior to the maturity of such bonds. The boards of supervisors of the several counties within the district shall likewise have authority to purchase such bonds with any surplus funds under their control.

All bonds which may be issued under the authority of this act shall be legal investments for all trust funds, and for the funds of insurance companies, banks, both commercial and savings, and trust companies, and for state school funds, and whenever any money or funds may by any law now or hereafter enacted be invested in bonds of cities, cities and counties, counties, school districts or irrigation districts within the State of California, such money or funds may be invested in any bonds issued under this act, and whenever bonds of cities, cities and counties, counties, school districts or irrigation districts within this state may by any law now or hereafter enacted be used as security for the performance of any act or the deposit of any public moneys, any bonds issued under the provisions of this act may be so used.

Sec. 22. Tax levy for payment of revenue bonds. The board of directors of any joint highway district organized under the provisions of this act is hereby empowered and it shall be the duty of such board to levy a tax annually within said district sufficient to meet the principal and interest of all outstanding revenue bonds coming due in each fiscal year.

The treasurer of each district organized or reorganized hereunder shall annually determine the amount of money necessary to be raised for the payment of principal and interest coming due in such year upon any revenue bonds issued hereunder. To such amount shall be added a sum sufficient, in the judgment of said treasurer, to cover anticipated delinquencies and the resulting sum shall be levied upon all of the taxable property in the several counties composing the district according to the percentages and proportions established for each county as provided in section 12 hereof. All taxes of any joint highway district organized under the provisions of this act shall be collected in behalf of such district by the proper county officers in the several counties within said district in the same time, form and manner as is or shall be hereafter provided for the collection of county taxes, and the treasurer of the joint highway district shall, prior to the fifteenth day of August in each year transmit to the board of supervisors of each county within the district a statement of the total sum to be collected within such county in such fiscal year in behalf of the district and it shall thereupon be the duty of the board of supervisors of each county in the district and of the other proper fiscal officers thereof, to cause said amount so certified by the district treasurer to be collected upon and from the taxable property within such county and the total amount of such collections shall be transmitted to and deposited with the district treasurer not later than the first day of each month following the collection of the same. All taxes of any district organized under the provisions of this act shall become due and payable in the same time and manner as county taxes are due and payable and shall become delinquent at the same times and in the same proportionate amounts and bear the same proportionate penalties and interest after delinquency as do county taxes, and all laws applicable to the levy, collection and enforcement of county taxes are hereby made applicable hereto where not in conflict with the provisions of this act.

The board of supervisors of any county within the district, upon receiving the report of the district treasurer showing the amount to be raised within said county

for the current year, may pay said amount out of any moneys of said county applicable to the purposes of this act as set forth in section 19 hereof, and not otherwise appropriated. Upon such payment being made, no levy of district taxes need be made for the year covering such payment, within the county paying the same.

Sec. 23. **Funding bonds.** As a separate and cumulative method of financing, the board of directors of any district organized hereunder may cause bonds to be issued in the manner hereinafter provided, to cover the costs and expenses of the whole or any part of any acquisitions of property and work and improvement done or made under the provisions of this act. In the event that the board of directors propose to issue funding bonds as herein provided, they shall first adopt a resolution setting forth their intention so to do, which resolution shall also contain the following:

1. A general description of the boundaries of the district to be charged with the payment of any funding bonds which are proposed to be issued. Said district may embrace the whole or any portion of any joint highway district organized and existing under the provisions of this act, and said district shall be divided into zones composed of the counties, or portions thereof, composing such district. It shall be a sufficient description of the boundaries of any such funding district and the zones therein, if the same are clearly shown upon a map or plat attached to said resolution.

2. A description in general terms of the location, character and cost of the acquisition of property or construction work, for the expenses of which or any portion thereof it is proposed to issue funding bonds as herein provided.

3. A statement of the amount for which it is proposed to issue funding bonds, together with a statement of the maximum time for which such bonds are proposed to be issued (which shall not exceed five (5) years from the date of the order providing for the issuance of the same), and the rate of interest which such bonds shall bear, not to exceed six per centum (6%) per annum.

4. A statement of the percentage of the total amount of the annual sums which it is proposed to levy against and upon the lands within the several zones in such funding district for the payment and retirement of such funding bonds, together with interest thereon. Such percentages shall not exceed the proportionate amounts chargeable within and against the several counties within the district as such amounts are set forth in the resolution of the board of directors provided for in section 12 hereof. Said resolution shall also fix a time and place of hearing upon the matter of the proposed issuance of funding bonds, as set forth in said resolution.

Sec. 24. **Hearing upon funding bonds.** Upon the adoption of the resolution provided by section 23 hereof, by the board of directors, the secretary thereof shall cause a notice of the time and place of hearing to be published twice in a newspaper of general circulation published at the county seat of each county embraced within the boundaries of the proposed funding district. The newspapers in which such publication shall be made may be designated by the board of directors or in the absence of such designation by the secretary thereof. The time fixed for such hearing shall not be less than fifteen (15) days after the completion of the publications herein provided for. A copy of the notice of hearing above mentioned shall be transmitted by the secretary of the board of directors to the several boards of supervisors of the counties comprising the joint highway district, not less than thirty (30) days prior to the time fixed for hearing. No county or portion of a county shall be included within any funding district, which has previously paid into the district treasury any amount previously levied within and upon such county.

Upon such hearing or at any time to which the same may be adjourned, any and all persons interested may appear and in writing set forth any objections they may have to the boundaries of the proposed funding district or the zones therein, to the proposed issuance of funding bonds or upon the question of benefits to be derived by any parcel or parcels of land within the proposed funding district, or the amount thereof.

The board of directors shall hear and determine all protests or objections presented at such hearing. Said board shall have power at such hearing to alter the boundaries of the proposed funding district or change the amount for which funding bonds are proposed to be issued, but may not enlarge the boundaries of such district or increase the amount of bonds proposed to be issued. At the conclusion of such hearing, the board of directors shall finally determine the boundaries of such funding district and the zones therein and shall determine the amount of funding bonds to be issued, which amount shall not exceed the benefits to be derived by the lands within said district from the project for which said bonds are to be issued. All decisions, findings and determinations of the board of directors upon notice and hearing as aforesaid, shall be final and conclusive upon all persons entitled to present protests or objections at such hearing, in the absence of actual fraud.

Following such hearing the board of directors, if it determines to issue funding bonds, shall cause its findings in relation thereto to be transmitted to the boards of supervisors of the several counties within the district. If any such board of supervisors makes objection to the issuance of such funding bonds within fifteen (15) days after receiving notice thereof, the board of directors shall have no power to cause the same to be issued, but such board of directors may take new proceedings in the same manner as provided in the first instance covering an amended proposition for the issuance of funding bonds for the same or any different project or any portions thereof. If no objections are made by any board of supervisors as in this section

provided, the board of directors may cause funding bonds to be issued as herein provided.

Sec. 25. Form of funding bonds. Funding bonds issued pursuant to the provisions of this act shall be in substantially the following form (filling in blanks as appropriate):

Funding Bond.

Joint highway district No. _____ of the State of California
\$----- Bond No. _____ Serial-----

Under and by virtue of an act of the Legislature of the State of California known as the "Joint highway district act" the treasurer of Joint highway district No. _____ of the State of California will pay to the bearer, out of the fund hereinafter designated, at the office of the treasurer of said district, on the _____ day of _____, 19____, the sum of _____ dollars, in legal tender of the United States of America, with interest thereon in like legal tender at the rate of _____ per centum per annum, payable semiannually on the second day of January and the second day of July in each year from the date hereof (except the last installment thereof, which shall be payable at the maturity of this bond), upon presentation and surrender, as they respectively become due, of the proper interest coupons hereto attached, the first of which is for interest from date hereof to the next date of interest payment, and the last for interest to maturity hereof from the last preceding date of interest payment. This bond is issued under and in conformity with the provisions of the above mentioned Joint highway district act and the amendments thereto, and is one of a series of bonds of like date and effect numbered from one to _____ consecutively. It is hereby certified, recited and declared that all proceedings, acts and things required by law precedent to or in the issuance of this bond have been regularly had, done and performed, and this bond is by law made conclusive evidence thereof.

This bond is payable out of the "Joint highway district No. _____ of the State of California funding bond redemption fund," exclusively, as the same appears upon the books of the treasurer of said district, and in accordance with the provisions of said act special assessment taxes will be levied and collected upon the lands within funding district No. _____ in said Joint highway district in an amount clearly sufficient to pay the principal and interest of said bonds as same shall become due and payable.

In witness whereof the board of directors of said district has caused this bond to be signed by the treasurer of said district attested by the secretary of said board and the official seal of said district to be affixed hereto this _____ day of _____, 19____.

[SEAL]

Treasurer of Joint highway district
No. _____ of the State of California.

Attest:

Secretary of the board of directors.

Said funding bonds shall be dated as of the date of the resolution or order of the board of directors authorizing their issuance, and the interest thereon shall be payable in the time and manner herein provided and as provided in the bond form above set forth. The board of directors may use any available moneys of the district, not already allocated to some other purpose, for the payment of any interest or principal due or past due upon any funding bonds of the district, and may advance moneys of the district for such purposes and in the event of such advancement shall be entitled to reimbursement in the amount thereof out of any levies thereafter made or any moneys thereafter collected and applicable to the payment of such bonds.

All revenue bonds issued under this act shall be signed by the treasurer of the district, attested by the secretary and shall have the official seal of such district attached thereto. The interest coupons attached to said bonds shall be in such form as the said treasurer shall determine subject to the provisions of this act and the determination of the board of directors, and the signature of said interest coupons shall be that of said treasurer and may be either written or engraved or printed facsimile. The principal and interest of the bonds issued under this act shall be payable in legal tender of the United States of America at the office of the treasurer of the district issuing same. Said funding bonds shall be serial in character and an approximately even proportion of the total amount of each issue shall be payable annually; *provided*, that the amount of the principal due in each annual payment need not be exactly the same but with respect to each installment excepting the last may be made to differ not more than five hundred dollars (\$500) from the amount obtained by dividing the total of the principal amount due under the bonds, by the number of installments; the last installment shall be for the balance of the total principal amount not provided to be paid in the previous installments.

The funding bonds shall be issued at such time and manner and in such amounts as may be required to meet the payment of the demands of the district, as may be determined by the board of directors. The form, denomination, rate of interest, time, place and manner of payment and all matters relating to such issuance shall be determined by the board of directors of the district, in accordance with the provisions of this act; *provided*, that the rate of interest shall not exceed six per centum per annum.

The funding bonds so issued may be sold in such amounts and at such times and in such manner as the board of directors may determine, or they may be delivered to any contractor performing any work or improvement for the district, at par, in satisfaction of any sum due upon any contract therefor. The state board of control is hereby authorized to purchase such bonds and pay for them out of any surplus money in the state treasury which, in its judgment, is not required for governmental purposes prior to the maturity of such bonds. The boards of supervisors of the several counties shall likewise have authority to purchase such bonds with any surplus funds under their control.

Sec. 26. Payment of funding bonds. For each district in which funding bonds shall have been issued under the provisions of this act a special fund to be designated "Joint highway district No. ____ of the State of California funding bond redemption fund" (the number to be that of the funding district) for the discharge and payment of such bonds and interest thereon shall be, and is hereby, constituted in and for each such district issuing funding bonds under the provisions of this act.

The treasurer of the district shall annually transmit to the several boards of supervisors within the district and prior to the fifteenth day of August in each year, a statement showing the amount to be raised in such year by the levy and collection of special assessment taxes upon the lands within such county which are within any funding district and not devoted to any public use, and for the payment of principal, interest and delinquencies upon any funding bonds of the district. Such statement shall show the percentages of the amount to be levied upon the lands in such county in accordance with the zones established by the board of directors of the district, as in this act provided, and the engineer of the district shall cause to be prepared and filed in the office of the clerks of the boards of supervisors in each county within the district, a map or plat showing the boundaries of the lands in each county which are within any funding district formed under the provisions of this act and shall also show the boundaries of the zones therein and the percentages provided for each. The special assessment taxes in this section provided for payment of funding bonds under this act shall be independent of and distinct from any levies otherwise provided in this act where bonds are not issued or where revenue bonds are issued and such special assessment taxes shall be levied, collected and enforced by the proper officer of the several counties within the district, in behalf of the joint highway district and in the same manner and by the same persons and at the same time and with the same penalties and interest as are taxes for county purposes; and all laws applicable to the levy, collection and enforcement of taxes for county purposes are hereby made applicable to said special assessment taxes where not in conflict with the provisions of this act, except that such special assessment taxes shall be levied and collected upon land only, exclusive of the improvements thereon. It shall be the duty of the boards of supervisors of each county within any joint highway district organized and existing under the provisions of this act to annually cause to be levied upon the lands within each county the amounts reported to them by the treasurer of such district, which amounts shall be clearly sufficient to pay the principal and interest coming due or past due in such year upon any funding bonds of the district together with a sufficient amount to cover delinquencies.

The provisions herein contained respecting the issuance of funding bonds shall be cumulative and shall not affect any of the other provisions or sections of this act relative to other bonds or levies. Any number of series of funding bonds may be issued under this section for any portion or portions of a single or different projects in any district organized and existing under the provisions of this act.

Sec. 27. Curative provisions. All bonds issued in pursuance of the provisions of this act shall by their issuance be conclusive evidence of the regularity, validity and legal sufficiency, of all proceedings, acts and determinations in anywise pertaining thereto, had or made under this act, and after the same are issued no assessment tax or tax or other charge levied or collected for the purpose of paying the principal or interest on any bonds issued hereunder shall be held to be invalid or illegal or set aside or refunded, by reason of any error, informality, irregularity, omission or defect in any of the proceedings, acts or determinations in anywise pertaining to the issuance or payment of said bonds, nor shall any action or proceeding be thereafter commenced or maintained to cancel or set aside said bonds or to prevent the payment thereof or the levy or collection or enforcement of any assessment tax, tax or other charge made for such payment.

Sec. 28. Limitation on indebtedness. No bonds shall be issued by any district hereafter organized or reorganized under the provisions of this act in an amount which will aggregate at any time an obligation in excess of ten per centum (10%) of the assessed value of the aggregate total taxable property within the district as shown by the then current taxation assessment rolls of the several counties within the district. The property within any county shall not at any time be obligated for all joint highway district purposes, if in more than one district, in any amount in excess of fifteen per centum (15%) of the assessed value of the aggregate total taxable property within such county as shown by the then current taxation assessment rolls of such county; *provided, however*, that this section shall have no application to proceedings under section 30 hereof.

Sec. 29. Construction fund. All moneys of the district applicable to the payment of construction costs shall be placed in a fund of the district to be designated "Construction fund," the moneys in which shall be disbursed by the treasurer of the district as ordered by the board of directors. Such fund may be used to pay all construction costs authorized under the provisions of this act, all necessary engineering, legal and other operating costs of the district, including salaries of officers, agents and employees, and also for the payment of the cost of the purchase and acquisition of all necessary property and rights of way required for any project authorized under the provisions of this act.

Sec. 30. Bonds to correct invalidity. Whenever any court of competent jurisdiction shall determine that any contract purporting to have been made, or any proceedings, steps or actions purporting to have been taken, levy made, or any bond or bonds issued under this act, is or are void, invalid or for any reason unenforceable, or if such court shall for any cause enjoin the issuance or payment of any bonds issued or proposed to be issued under the provisions of this act, said court shall also determine whether any work or improvement has been done or performed or services rendered by any person in behalf of and to the benefit of the district under any invalid contract or proceeding or under any contract pursuant to which bonds were issued or proposed to be issued, and if so what part, if any, is of a kind that is lawful under the provisions of this act. If the court shall find that any such work or improvement has been done or made, or services rendered, or acquisitions of necessary rights of way or property, then the court shall order the board of directors of the district to take proceedings as in this section provided for the issuance of bonds to cover the costs of the same. The board of directors of the district may also utilize the provisions of this section without order of court wherever necessary to correct any invalid acts or proceedings coming within the scope of this section.

It is hereby declared to be the true intent and meaning of this section to make the costs and expenses of all work or improvements made or to be made, or services rendered, and all necessary acquisitions or property or rights of way, had, done or performed under an attempted compliance with and exercise of the powers and rights conferred by the provisions of this act, payable by the property benefited or to be benefited thereby, by the issuance of bonds as in this section provided, to defray the costs and expenses thereof.

Upon a decree of court or upon its own order as herein provided, it shall be the mandatory duty of the board of directors of the district to cause bonds to be issued as in this section provided. The board of directors shall cause a report on the bond issue proposed under this section to be made and filed by the district engineer or other competent person appointed by said board for such purpose. Said report shall set forth in general terms what the proposed bond issue is to cover, together with the total amount of the same. Such total amount shall not exceed the original charge made against the district for the items included, plus a reasonable interest thereon not to exceed six (6) per centum per annum. Said report shall also contain a description of the lands benefited by the items for which the bonds hereunder are proposed to be issued, a description of the zones, if any, into which such district is to be divided, and the amounts proposed to be made chargeable against and upon each of such zones, which amounts shall not exceed the percentages of the total sum established for the several counties within the joint highway district under section 12 hereof, also a description of the bonds to be issued for the total amount set forth in said report. The bonds provided for in this section shall in terms and form conform substantially to the provision contained in this act relative to funding bonds and shall be payable in not more than five annual installments. The annual amounts required for the payment of principal and interest on any bonds issued under the provisions of this section, shall be levied and collected in the same manner as is in this act provided with relation to funding bonds.

The report above referred to shall be filed with the secretary of the board of directors, and upon such filing said secretary shall fix a time and place of hearing thereon and give notice thereof. Notice of such hearing shall be published at least twice in one or more newspapers of general circulation to be selected and designated by such secretary, and which shall be published and circulated within the boundaries of the district set forth and described in the report above referred to. The last publication of such notice of hearing shall be not less than twenty days prior to the date set for such hearing.

At the time fixed for the hearing upon said report, or at any time to which said hearing may be adjourned or continued, any person interested may appear and be heard upon any of the matters set forth in said report. The board of directors shall have power to confirm said report and to revise, correct or modify the same, in such manner as said board may deem just and in accordance with the facts as said board may find them. At the conclusion of the hearing said board shall adopt a resolution declaring its findings and determinations upon said report, and the same shall be final and conclusive upon all persons and in all proceedings or actions as to all matters so found and determined. If no changes are made in the said report, it shall be sufficient for said board to declare that said report is confirmed and the same shall thereupon become the findings and determinations of the board. Upon the adoption of the resolution of the board of directors above provided for, the treasurer of the

district shall immediately cause bonds to be issued under the provisions of this section in the amount and manner provided in said resolution. Said bonds shall be dated as of the date of said resolution. Said bonds shall by their issuance be conclusive evidence of the regularity of all proceedings prior thereto under this act and after the same are issued, no tax, assessment tax, or other charge or levy, levied or collected for the purpose of paying the principal or interest on said bonds shall be held to be illegal, invalid or set aside or refunded by reason of any error, informality, irregularity, omission of defect in any of the proceedings prior to the issuance of said bonds, nor shall any action or proceeding be commenced or maintained after sixty (60) days from and after the date of their issuance to cancel or set aside said bonds or prevent the payment thereof, or the levy, collection or enforcement of any taxes, assessment taxes or other charges or levies for such payment. Said bonds shall be issued and delivered to the person or persons entitled thereto.

Sec. 31. Control of highways under construction by district. During the course of the construction or improvement of any highway or project by any district under the provisions of this act the said highway or project shall be under the control of the board of directors of the district and such board of directors shall have the right to make all necessary regulations concerning the use of any highway under the control of the district which are not in conflict with general laws and may exclude from such highway such vehicular or other traffic as may, in the opinion of the board of directors, be detrimental to the public safety or will result in injury to the roadway during the progress of construction or improvements thereon, or otherwise. All laws relating to the use of state highways in this state shall be applicable to any highways under the control of any district organized hereunder.

Sec. 32. Highways on completion to revert to counties. Upon the completion of construction or improvement of any highway or portion thereof by any district organized hereunder, the board of directors of the district shall adopt a resolution declaring such completion and transmit a copy of the same to the board of supervisors of the county in which such highway or portion of highway is situated. Upon receipt of such resolution by such board of supervisors, the control of such highway or portion thereof shall revert to the county in which the same is situated and become a part of the county system of highways therein and such county shall be liable for the future maintenance and care thereof.

Sec. 33. Condemnation of rights of way by counties in behalf of district. The board of directors of any district organized hereunder may request the proper officers of any county situated within the district to condemn and acquire property or rights of way within such county necessary for the project or projects for which the district is created. When so requested, it shall be the duty of the board of supervisors of the county so requested to undertake the condemnation and acquisition requested by the board of directors of the district and the cost thereof shall be a proper deduction from any levy made by the district upon or within such county. Any excess in such cost over and above the amount of any such levy shall be paid to the county by the district out of its proper funds provided for that purpose. The proceedings required to be taken by any county or county officers under the provisions of this section shall include the taking of immediate possession of any property or rights of way necessary for district purposes.

Sec. 34. Control of state moneys. In case it shall be determined that any sum of money authorized to be expended from the state treasury of the State of California shall be expended as required by section 22 of article IV of the constitution of the State of California, then the advisory board of the state engineering department, or corresponding body or person in the department of public works, shall have the exclusive management and control of such expenditure. If the boards of supervisors of the several counties concerned assent to the relinquishment and transfer of such management and control, but such advisory board or other officer may in its or his discretion delegate its or his powers to the board of directors of the joint highway district and said joint highway district is hereby declared to be a state institution within the meaning of said constitution. The board of directors of the district may vest in the state engineering department or the department of public works, authority to supervise the work of construction, or so much thereof as it may, in its discretion, determine.

Sec. 35. Cooperation with federal government. In case the governmental authorities of the United States should desire to include any highway or project constructed or to be constructed under the provisions of this act in any scheme of national defense and use or assume the use of the same for military or other purposes, the board of directors of the district, either directly or through the proper board or officers of the State of California, may enter into negotiations respecting the same and may enter into and consummate such contracts or agreement in relation thereto as may be mutually satisfactory.

Sec. 36. Dissolution of districts. Upon the completion of any project or projects for which any district is organized under the provisions of this act and upon the payment and retirement of all outstanding bonds and obligations of any district, the same shall be dissolved by resolution of the board of directors thereof. A copy of the resolution of dissolution shall be transmitted to the secretary of state and to the boards of supervisors of the several counties composing the district. Any property or moneys belonging to such district at the time of dissolution shall by the board of

directors thereof be distributed to the several counties composing the district in the proportions in which such counties have contributed to the expense and operation of such district.

Sec. 37. Repeal of conflicting provisions. All acts and parts of acts in conflict herewith are hereby repealed except that all joint highway districts organized or existing prior to the effective date of this act may continue their operations and the discharge of their obligations pursuant to the provisions of all laws appertaining to such districts in effect prior to the effective date of this act.

Sec. 38. Reorganization of existing districts under this act. All joint highway districts heretofore organized and existing or tentatively organized prior to the effective date of this act, may reorganize under the provisions of this act in the manner following: The board of directors of the district or tentative district proposing to reorganize under the provisions of this act may adopt a resolution declaring their intention so to do and transmit the same to the boards of supervisors of the several counties composing the district for approval. If the boards of supervisors of all of the counties composing such district shall consent to such reorganization, the board of directors of the district shall adopt a resolution setting forth such consent and shall declare the district or tentative district to be reorganized under the provisions of this act, whereupon such reorganization shall be complete and said district shall thereafter conform to all of the provisions of this act and shall have all of the powers and duties provided therein. A certified copy of such resolution declaring reorganization shall be transmitted to the secretary of state of the State of California.

Sec. 39. Construction of act. This act and all of its provisions shall be liberally construed, to the end that the purposes thereof may be effective. No error, defect, irregularity, informality and no neglect or omission of any officer or person, in any procedure taken hereunder, which does not affect the jurisdiction of the board of directors of the district to proceed, shall avoid or invalidate any proceeding hereunder, any bonds issued or levies, taxes or assessment taxes levied or imposed hereunder.

If any section, subdivision, sentence, clause or phrase of this act is for any reason held to be unconstitutional, the same shall not affect the validity of the remaining portion of this act. The Legislature hereby declares that it would have passed this act and each portion thereof irrespective of the fact that any one or more sections, subdivisions, sentences, clauses or phrases be declared unconstitutional."

Bill ordered to print, and re-referred to Committee on Roads and Highways.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 925—An act to provide for bridges across navigable streams, and across estuaries, ponds, swamps, or arms of bay that may be outside of the line of navigable waters—and reports that the same has been correctly enrolled and presented to the Governor on the eighteenth day of March, at four o'clock p.m.

RILEY, Chairman.

ON MINES AND MINING.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Mines and Mining, to which was referred Senate Bill No. 426—An act to appropriate the sum of \$28,500 to be used in construction, renewal, and repair of works for restraining, impounding and control of debris resulting from mining operations and other causes along the Feather and Yuba rivers, and to provide for the manner of expending such appropriation—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to the Committee on Finance.

Committee membership—5; committee vote: Ayes—4; absent—1.

CASSIDY, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Mines and Mining, the following amendments to Senate Bill No. 426 were read, and adopted:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, strike out the words "Feather and Yuba rivers", and in lieu thereof insert the words "Yuba river".

AMENDMENT NUMBER TWO.

In lines 6 and 7, of the printed bill, strike out the words "Feather and Yuba rivers", and in lieu thereof insert the words "Yuba river".

AMENDMENT NUMBER THREE.

In line 13 of the printed bill, strike out the word "immediately".

AMENDMENT NUMBER FOUR.

In line 15 of the printed bill, strike out the period after the word "work", and insert a comma in lieu thereof, and add to the sentence the words "and only in amounts equal to the sums so appropriated or allotted by the government of the United States."

AMENDMENT NUMBER FIVE.

In line 19 of the printed bill, strike out the word "warrant", and insert in lieu thereof the word "warrants".

Bill ordered to print, and re-referred to Committee on Finance.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revenue and Taxation, the following amendments to Senate Bill No. 368 were read, and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Senate March 13, 1931, strike out the words "amend section 3817 of", and insert in lieu thereof the following: "add a new section to".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, as amended in Senate March 13, 1931, after the word "Code", insert the following: "to be numbered 3817a".

AMENDMENT NUMBER THREE.

In line 2 of the title of the printed bill, as amended in Senate March 13, 1931, strike out the words "to the redemption of property sold for taxes and".

AMENDMENT NUMBER FOUR.

In line 4 of the title of the printed bill, as amended in Senate March 13, 1931, strike out the words "such property", and insert in lieu thereof the following: "property sold for taxes".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, as amended in Senate March 13, 1931, commencing on line 1 thereof, strike out the following: "Section 3817 of the Political Code is hereby amended", and insert in lieu thereof the following: "A new section is hereby added to the Political Code to be numbered 3817a and".

AMENDMENT NUMBER SIX.

On pages 1 and 2 of the printed bill, as amended in Senate March 13, 1931, strike out all of lines 3 to 22, inclusive, on said page 1 and all of lines 1 to 51, inclusive, on page 2.

AMENDMENT NUMBER SEVEN.

On page 3, line 1, of the printed bill, as amended in Senate March 13, 1931, strike out the following: "(b)", and insert in lieu thereof the following: "3817a".

AMENDMENT NUMBER EIGHT.

On page 3, line 7, of the printed bill, as amended in Senate March 13, 1931, after the words "for the", insert the word "fiscal".

AMENDMENT NUMBER NINE.

On page 3, line 24, of the printed bill, as amended in Senate March 13, 1931, strike out the words "and/or fourth", and insert in lieu thereof the following: "fourth and/or fifth".

AMENDMENT NUMBER TEN.

On page 3, line 25, of the printed bill, as amended in Senate March 13, 1931, after the word "respectively", insert the words "and consecutively".

AMENDMENT NUMBER ELEVEN.

On page 3, line 31, of the printed bill, as amended in Senate March 13, 1931, after the period following the word "provided", insert a new paragraph as follows:

"The county treasurer shall deposit all payments so made to the same fund in which moneys received upon redemption are deposited."

AMENDMENT NUMBER TWELVE.

On page 3 of the printed bill, as amended in Senate March 13, 1931, and commencing on line 39 thereof, strike out the following: "as hereinabove in subdivision (a) of this section provided", and insert in lieu thereof the following: "pursuant to the provisions of section 3817 of the Political Code".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 41, of the printed bill, as amended in Senate March 13, 1931, after the word "redemption", insert a comma and the following: "together with interest thereon at the rate of seven per cent per annum computed from the dates of said respective payments,".

AMENDMENT NUMBER FOURTEEN.

On page 3, line 47, of the printed bill, as amended in Senate March 13, 1931, after the word "from", strike out the word "lands", and insert in lieu thereof the following: "real estate".

Bill ordered to print, and re-referred to Committee on Revenue and Taxation.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 7—An act making an appropriation to pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and governing of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, and amendments thereto—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to the Committee on Finance.

Committee membership—13; committee vote: Ayes—11; absent—2.

EDWARDS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Roads and Highways, the following amendments to Senate Bill No. 7 were read, and adopted:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out the word "governing", and insert in lieu thereof "government".

AMENDMENT NUMBER TWO.

In line 7 of the printed bill, strike out the word "governing all", and insert in lieu thereof: "government of".

Bill ordered to print, and re-referred to Committee on Finance.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 312—An act to amend the California Irrigation District Act by amending sections 35, 37, 38, 41, and 78 thereof, relating to assessments and exclusion of land;

Also: Senate Bill No. 382—An act to amend section 31 of chapter 89, Statutes of 1897, the California Irrigation District Act, by amending section 31 thereof, relating to the issuance of bonds;

Also: Senate Bill No. 632—An act to amend sections 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, and 84 of chapter 187, Statutes of 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 21, 1897, as amended, relating to the exclusion of land from irrigation districts;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Irrigation, the following amendments to Senate Bill No. 312 were read, and adopted:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the period at the end of the line, and insert in lieu thereof a comma, and add the following: "and by adding two new sections thereto to be numbered 35b and 35c, relating to assessments."

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, after the word "district", insert a comma and the following: "which shall include city and town lots,".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, strike out the words "by town", and strike out all of lines 14 and 15, and in line 16, strike out the words "or by metes and bounds, or other description."

AMENDMENT NUMBER FOUR.

On page 1, line 17, of the printed bill, strike out the semicolon, and insert in lieu thereof a comma and the following: "except in the case of city or town lots,".

AMENDMENT NUMBER FIVE.

On page 1, line 27, of the printed bill, strike out the comma after the word "sub-division", and insert in lieu thereof a period.

AMENDMENT NUMBER SIX.

On page 1, line 27, of the printed bill, strike out the word "in", being the last word in the line, and strike out all of line 28.

AMENDMENT NUMBER SEVEN.

On page 2 of the printed bill, strike out all of lines 1, 2, 3 and 4, and insert in lieu thereof the following: "If any land in the district is subject to a different rate of assessment from the other lands in the district it shall be separately designated and described. Said".

AMENDMENT NUMBER EIGHT.

On page 2, line 8, of the printed bill, strike out the words "lands or town lots" and insert in lieu thereof the word "land".

AMENDMENT NUMBER NINE.

On page 2, line 9, of the printed bill, strike out the word "such", and insert in lieu thereof the word "the".

AMENDMENT NUMBER TEN.

On page 2, line 9, of the printed bill, strike out the word "taxation", and insert in lieu thereof the word "assessment".

AMENDMENT NUMBER ELEVEN.

On page 2, line 10, of the printed bill, strike out the words "any property which", and also strike out all of lines 11, 12, 13, and 14.

AMENDMENT NUMBER TWELVE.

On page 2, line 17, of the printed bill, insert a period after the word "description".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 17, of the printed bill, strike out the words "erected or being", and strike out all of line 18.

AMENDMENT NUMBER FOURTEEN.

On page 2 of the printed bill, strike out all of lines 19 and 20, and insert in lieu thereof the following:

"Sec. 2. A new section is hereby added to said act, to be numbered 35b to read as follows:

Sec. 35b. Any land which may have escaped the payment of any assessment, whether because of the omission of the land from the assessment book or because of illegality in the levying thereof or any proceedings relating thereto, shall, in addition to its assessment for the then current year, be entered in the assessment book by the assessor at the valuation which he may deem proper for the year of the escaped assessment. Such additional assessment shall be subject to equalization as is provided in this act for the current assessment, and at the time of levying the assessment for the current year the board of directors of the district shall levy on said land an assessment at the rate fixed in the year of the escaped assessment, or, if no rate was legally fixed in that year, the board shall levy an assessment on said land at the rate which should have been computed in that year to raise the amount of money then required by the district. Any such additional assessment shall be

payable at the same time or times as the current assessment, and if not paid, shall be subject to like penalties and proceedings to enforce its collection.

SEC. 3. A new section is hereby added to said act, to be numbered 35c to read as follows:

Sec. 35c. Anyone having an interest in any land within the district may file with the secretary of the board of directors a verified petition, alleging that said land, or some described portion thereof, was, when it became a part of the district, irrigated from another system of works than the works of or proposed for the district and has continued ever since to be exclusively so irrigated and is entitled to a special rate of assessment, and praying the board to determine what proportion or part of the regular rates of assessment in the district should be used in levying assessments on the land described in the petition. The board shall set a time and place for the hearing of said petition, or of all of the petitions so filed if more than one has been filed, and shall cause notice thereof to be given in a newspaper published in the county wherein the office of the district is located. The notice shall state that a petition has been, or petitions have been presented to the board praying for a determination that certain lands described therein, but which need not be described in the notice, are entitled to a special rate or rates of assessment and giving the names of the petitioner, or petitioners, and the time and place set for the hearing. The board shall meet at the time and place so set and proceed in such order as it may deem proper, to hear the petition or petitions and shall hear all competent and relevant evidence offered in support of any petition or in opposition thereto, and may adjourn the hearing from time to time. A fee of ten dollars must be paid to the secretary before the filing of any such petition, and the money shall be applied to the cost of the publication of the notice and other expenses of the hearing. If there shall be any balance after the conclusion of the hearing, it shall be returned to the petitioner or divided among the petitioners contributing thereto in proportion to the respective areas described in their petitions. After the conclusion of the hearing, if the board shall find that any of the land described in any petition or petitions has been irrigated as alleged and is not and will not be so benefited by the operations of the district as to justify its assessment at the same rate as other lands in the district not so irrigated, which rate may be referred to as the regular rate of assessment, the board shall, in an order or resolution which shall be entered in full upon its minutes, describe the land entitled to a special rate of assessment, or the respective parcels thereof if separate parcels are to be assessed, and shall determine and fix the proportion or part of the regular rate of assessment which shall be applied in levying assessments on said land, or on each parcel thereof if various parcels are found to be entitled to different special rates, in order that the assessments to be levied on said land may be in accordance with the benefits which it receives or will receive from the operations of the district. If the board shall determine that any land is entitled to a special rate of assessment, a certified copy of the order or resolution so determining shall be delivered to the assessor, and thereafter, until notified of a change in such determination, he shall enter the land described therein separately in the assessment book and so designate it that it may readily be distinguished from other land not entitled to a special rate. If such a determination is made in any year too late for the land to be separately described in the assessment book, but before the annual assessment has been levied, the board shall direct the secretary to make such entries in the assessment book as will enable him to compute the assessments at the special rate or rates determined by the board. If the board shall have determined that any land is entitled to a special rate of assessment, the rates of assessment in the district shall be so computed as to be sufficient to produce the sum to be raised after deducting fifteen per cent from the assessed valuation as provided in section 60 of this act. The determination of the board with respect to any land after a hearing as aforesaid shall not be changed unless the board, on petition of a party affected, shall consent to another hearing, or on its own motion shall cause notice to be served on the owner of the land to show cause why the determination should not be changed, in either of which cases another hearing shall be advertised and held as hereinabove provided.

SEC. 4. Section 37 of said act is hereby amended to read as follows:—

AMENDMENT NUMBER FIFTEEN.

On page 2, line 36, of the printed bill, strike out the words "In lieu of the publication of said", and strike out all of lines 37, 38, 39, 40, 41 and the words "rately described on the assessment roll", in line 42.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 43, of the printed bill, strike out the words "or post".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 46, of the printed bill, strike out the words "or posted".

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 49, of the printed bill, strike out the figure "3", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER NINETEEN.

On page 3 of the printed bill, strike out all of lines 5, 6, 7, 8, 9, 10, 11, and the words "receive from the operations of the district." in line 12, and insert in lieu thereof the following: "ation, acreage, or any matter pertaining to the assessment as may come before them; and the board may make such changes thereof as may be just."

AMENDMENT NUMBER TWENTY.

On page 3, line 13, of the printed bill, strike out the word "note", and insert in lieu thereof the word "make".

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 14, of the printed bill, strike out the words "made in the valuation or estimated acreage of prop-", and strike out all of line 15, and strike out the word "assessed" in line 16, and insert in lieu thereof "ordered in the assessment book".

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 19, of the printed bill, strike out the figure "4", and insert in lieu thereof the figure "6".

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 37, of the printed bill, strike out the word "In", and strike out all of lines 38, 39, 40, 41, 42 and the words "is separately described on the assessment roll." in line 43.

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, line 44, of the printed bill, strike out the words "or post".

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 47, of the printed bill, strike out the words "or posted".

Bill ordered to print, and re-referred to Committee on Irrigation.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Irrigation, the following amendments to Senate Bill No. 382 were read, and adopted:

AMENDMENT NUMBER ONE.

Strike out lines 1, 2, and 3 of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend the California district act by amending sections 31 and 32a thereof, and adding four new sections thereto, to be designated respectively 32b, 32c, 32d, and 32e, relating to the issuance of bonds of irrigation districts, including funding or refunding bonds, prescribing the form and manner of execution of such bonds and the procedure for the issuance thereof, providing for the adoption of plans for funding or refunding bonds of such districts and for the incurring of indebtedness for the purpose of carrying out such plans, prescribing the terms and conditions upon which such bonds may be issued, authorizing limitations and conditions upon the payment of the principal and or interest, or any part thereof, of any such funding or refunding bonds, providing for the designation of paying agents of such districts for the purpose of receiving funds thereof and applying the same to the payment of the principal and or interest of any such bonds, and declaring this act to be an urgency measure."

AMENDMENT NUMBER TWO.

On page 3, line 12, of the printed bill, strike out "of effecting any", and insert in lieu thereof the following: "incident to any such plan or in connection with".

AMENDMENT NUMBER THREE.

On page 3, line 14, of the printed bill, strike out the word "may", and insert the word "shall".

AMENDMENT NUMBER FOUR.

On page 3, line 20, of the printed bill, after the word "such", insert the words "funding or".

AMENDMENT NUMBER FIVE.

On page 3, line 25, of the printed bill, after the word "thereof", add a new sentence as follows: "The rate of interest on such bonds shall not exceed six per centum per annum, payable semiannually."

AMENDMENT NUMBER SIX.

On page 3, line 26, of the printed bill, before the word "any", insert "Sec. 32b."

AMENDMENT NUMBER SEVEN.

On page 3, line 31, of the printed bill, strike out the word "amount", and insert the word "amounts".

AMENDMENT NUMBER EIGHT.

On page 3, line 40, of the printed bill, strike out the word "amount", and insert "amounts", and strike out the word "payment", and insert "payments".

AMENDMENT NUMBER NINE.

On page 3, line 41, of the printed bill, strike out the word "further", after the word "provided".

AMENDMENT NUMBER TEN.

On page 3, line 42, of the printed bill, strike out the word "assessment", and insert the word "payments".

AMENDMENT NUMBER ELEVEN.

On page 4, line 7, of the printed bill, strike out the words "or those received are", and strike out all of lines 8 and 9 and the following words in line 10: "forth in any such proposal or proposals", and insert in lieu thereof the following: "or if the bids received and accepted are not sufficient to exhaust the moneys so on hand and available for the purpose, the board of directors may purchase at private sale with any available money in the sinking fund, any of said bonds for the payment of which such sinking fund was created."

AMENDMENT NUMBER TWELVE.

On page 4, line 16, of the printed bill, after the word "purchased", insert the following: "together with the income therefrom,".

AMENDMENT NUMBER THIRTEEN.

On page 4, line 23, of the printed bill, after the word "commission", insert the following: "by resolution adopted at or prior to the time of issuing any funding or refunding bonds,".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 25, of the printed bill, after the word "lot", insert the following: "as may be prescribed in said resolution,".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 28, of the printed bill, strike out the word "in", after the word "forth", and insert the word "on".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 31, of the printed bill, strike out the words "board of", and strike out the word "directors", in line 32, and insert in lieu thereof the word "district".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 32, of the printed bill, strike out the comma after "located", and insert a period and change small t to capital T in the word "The".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 32, of the printed bill, strike out the word "which", and insert "such notice"; also strike out the word "at", and in line 33 strike out "least", and insert in lieu thereof the following: "not less than".

AMENDMENT NUMBER NINETEEN.

On page 4, line 33, of the printed bill, after the word "days", insert "nor more than ninety days".

AMENDMENT NUMBER TWENTY.

On page 4, line 43, of the printed bill, after the word "fund", strike out the period and insert a semicolon and insert the following: "and if the district shall have on hand funds available for the payment of a portion only of said sinking fund payment and shall have deposited the same in said sinking fund, said assessment for sinking fund purposes for such year shall be so levied as to provide only for raising the amount by which the amount of such sinking fund payment shall exceed the amount deposited in said sinking fund, as aforesaid."

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 44, of the printed bill, before the word "Any", insert "Sec. 32c."

AMENDMENT NUMBER TWENTY-TWO.

On page 5 of the printed bill, strike out lines 1 to 26, inclusive, and insert in lieu thereof the following:

"Sec. 32d. Notwithstanding anything to the contrary in this act contained, if in the judgment of the board of directors it is desirable that the principal and/or interest of any funding or refunding bonds hereafter issued pursuant to this act, or any part of such principal or interest, shall be payable solely from the proceeds, or any part thereof, of any existing or proposed contract or contracts of the district for the sale of water and/or electricity, or otherwise, or from any other source or sources of payment, other than assessments, the board of directors may, with

the approval of the California bond certification commission so provide by resolution adopted at or prior to the time of the issuance of such bonds. In case the board of directors shall determine that the principal of any funding or refunding bonds issued pursuant to this act, or any part of such principal, shall be payable only from the proceeds of any such contract or contracts or other source or sources, other than assessments, it shall cause a brief statement of such limitations upon the payment of said principal, or portion thereof, to be set forth in such bonds; and in case such limitations shall affect the payment of the interest of such bonds or any part thereof, a statement of such limitations shall be set forth in the interest coupons representing such interest and also in the bonds to which such interest coupons are appurtenant. If such limitations shall affect the payment of a portion only of the interest which shall accrue on any funding or refunding bonds issued pursuant to this act, the board of directors may either provide that the entire installment of interest payable on any interest payment date shall be represented by a single coupon which shall contain a brief statement as to the portion of such interest, the payment of which is subject to such limitations, or, in its discretion, said board may provide that the portion of said interest the payment of which is not subject to such limitations and the portion of such interest the payment of which is subject to such limitations shall be represented by separate interest coupons, the coupon representing such portion of the interest as to which such limitations upon payment exist containing a brief statement of such limitations.

SEC. 32c. Notwithstanding anything to the contrary in this act contained, the proceeds of any existing or proposed contract or contracts, or source or sources of payment, or any portion thereof, designated by said board, may by resolution of said board be allocated to the payment of the principal and or interest of any bonds of the district, including funding or refunding bonds, or of any portion of such principal or interest designated by said board. Any such allocation shall be irrevocable until all of such bonds and their appurtenant coupons shall have been paid or retired. In the event that the board of directors, with the approval of the California bond certification commission, shall, pursuant to this act, provide that the principal and/or interest of any bonds, or any portion of such principal and or interest, shall be payable solely from the proceeds of any such contract or contracts, or other source or sources of payment, other than assessments, neither the district nor any officer thereof shall be helden for such payment otherwise.

The district may also, with the approval of said commission, designate any bank or trust company or banks or trust companies to act as its agent or agents for the purpose of making payment of the principal and or interest of any of its bonds, including its funding or refunding bonds, and or receiving the payments under any contract or contracts for the sale of water or electricity or any revenues from any other source or sources, so allocated by said board to the payment of the principal and/or interest, or any part thereof, of any such bonds, or for the purpose of applying such payments to the payment of such principal or interest, or portion thereof, so designated; and the district, with the consent of said commission, may from time to time substitute another bank or trust company or other banks or trust companies in the place of the bank or trust company or banks or trust companies so designated, and similarly, may substitute another bank or trust company or other banks or trust companies in the place of any bank or trust company or banks or trust companies substituted as aforesaid.

SEC. 3. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional or unenforceable, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase hereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional or unenforceable.

SEC. 4. This act shall not invalidate any act done, or any section or proceeding had or commenced before this act takes effect. All proceedings commenced prior to the effective date hereof shall be completed in accordance with the provisions of this act and all acts and proceedings commenced before but not completed until after the effective date of this act, whether relating to the authorization, issuance, exchange, sale or delivery of funding or refunding bonds, or otherwise, shall be valid and legally binding if taken in accordance with the provisions of this act.

SEC. 5. This act shall take effect immediately.

SEC. 6. This act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the constitution of the State of California and it is deemed necessary for the immediate preservation of the public peace, health and safety that this law shall go into immediate effect. The following is a statement of the facts constituting such urgency:

Many irrigation districts organized under the laws of this state have issued bonds for the purpose of acquiring works for the distribution of water to the lands within such districts for irrigation and domestic use which bonds mature in whole or in part on July 1, 1931. If this amendment does not go into effect until ninety days after the final adjournment of this session of the Legislature, such districts will be unable to take advantage of the provisions hereof prior to July 1, 1931. Unless such bonds and interest coupons are refunded pursuant to the provisions of this amendment such districts must advance large cash payments for maturing

bonds and interest coupons on that date, thereby leaving them without sufficient funds to enable them to operate properly and efficiently their distribution works. The proper and efficient operation of such works is necessary for the purpose of furnishing water for irrigation and domestic use to the landowners within such districts and also to certain municipalities which are dependent entirely upon such districts for their source of water supply. The failure of the water supply of any such district or the inability of such district to make proper distribution thereof would be a menace to the public health of the inhabitants of such districts and of the municipalities aforesaid. If, however, the provisions of this amendment become a law immediately, such districts will be able to refund their bonds and coupons on or before July 1, 1931, thereby enabling such districts to utilize all available funds for the proper operation of their works for supplying and distributing water."

Bill ordered to print, and re-referred to Committee on Irrigation.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Irrigation, the following amendments to Senate Bill No. 632 were read, and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title and insert in lieu thereof the following: "An act to amend section 78 of the California irrigation district act, approved March 31, 1897, as amended, relating to the exclusion of lands from irrigation districts."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after "Section 1.", insert the following:

"Section 78 of the California irrigation district act is hereby amended to read as follows:

Sec. 78. If, upon the hearing of any such petition, no evidence or proofs in support thereof be introduced, or if the evidence fail to sustain said petition, or if the board deem it not for the best interest of the district that the lands, or some portion thereof, mentioned in the petition, should be excluded from the district, the board shall order that said petition be denied as to such lands; but if the said board deem it for the best interest of the district that the lands mentioned in the petition, or some portion thereof, should not be excluded from the district, or if, having shown cause, withdraws the same, or upon the hearing fails to establish such objections as he may have made, then it shall be the duty of the board to, and it shall forthwith, make an order that the lands mentioned and described in the petition, or some defined portion thereof, be excluded from said district; *provided*, that it shall be the duty of said board to so order, upon petition therefor as aforesaid, that all lands so petitioned to be excluded from said district shall be excluded therefrom, which have been included in said district for more than four years prior to the date of the filing of said petition, and said district has failed, during said period, to provide irrigation water for said land at a point within one mile of said land, and when the district is without available funds sufficient to provide irrigation water for said land at a point within one mile of said lands; and it shall be the duty of said board to so order, upon petition therefor as aforesaid, that all lands so petitioned to be excluded from said district shall be excluded therefrom, which cannot be irrigated from, or which are not susceptible to, irrigation from a common source or by the same system of works with the other lands of said district, or from the source selected, chosen, or provided, or the system adopted for the irrigation of the lands in said district, or which are already irrigated, or entitled to be irrigated, from another source or by another system of irrigation works; *provided*, that no land irrigated by means of water, pumped from an underground source or sources shall be entitled to exclusion from any irrigation district on account of being so irrigated, if it shall be shown that such land is or will be substantially benefited by subirrigation from the works of said district or by drainage works provided or required by law to be provided by said district, but no owner of land in any irrigation district shall be required to pay any assessment except for the payment of interest and principal due on bonds of the district, on any land in such district which, when the district was organized, was irrigated by means of water pumped from an underground source or sources and has continued each year to be irrigated exclusively by such means."

Bill ordered to print, and re-referred to Committee on Irrigation.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant in favor of the Secretary of the Senate in the sum of \$300, the same being

for postage for the Senate, and the Treasurer is hereby ordered and directed to pay the same.

INGELS, Chairman.
MALONEY.
WILLIAMS.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Young—27.

NOES—None.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 79—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 7 of the printed bill, strike out the word "four", and insert in lieu thereof the word "eight".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 10 and 11 of the printed bill, strike out the words "or more than four grouse, or more than four sagehens".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 171—An act to add a new section to the Penal Code to be numbered 636*b*, relating to the protection of fish.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the title of the printed bill, strike out "636*b*", and insert in lieu thereof the following: "636*c*".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "636*b*", and insert in lieu thereof the following: "636*c*".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, strike out "636*b*", and insert in lieu thereof the following: "636*c*".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 207—An act to amend sections 3, 4 and 5 of chapter 343 of the Statutes of 1931, entitled "An act to provide for leasing

kelp beds in the waters of the State of California by the Board of Fish and Game Commissioners," and to repeal section 7 thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the word "shall", and insert in lieu thereof following the word "commissioners", the following: "with the approval of the department of finance may".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 2, of the printed bill, strike out the words "of the sum of one and one-half cents", and insert in lieu thereof the following: "of not less than three cents".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 4, of the printed bill, strike out "twenty-five", and insert in lieu thereof the following: "fifteen".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 421—An act to amend section 363*i* of the Political Code, relating to the supervision of ports by the Department of Public Works, and to repeal sections 2584, 2586, 2589, 2590 and 2607 of the Political Code, relating to the Board of State Harbor Commissioners for the bay of San Diego, and to the San Diego Harbor Improvement Fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 566—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, after the word "corporation", strike out the period and insert a comma, and the following: "subjects its owner to the damages hereinbefore specified".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Commerce and Navigation.

Senate Bill No. 279—An act to amend section 718 of the Civil Code, relating to leasing property by municipalities.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill, after the period following the word "California", insert the following: "provided, however, that nothing contained herein

shall be construed as granting to municipalities the right to lease tidelands or submerged lands for the purpose of production of or exploration for minerals, oil, gas or other hydrocarbon substances."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Commerce and Navigation.

Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation districts bonds now or hereafter issued or outstanding.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 17—An act appropriating money for the control and conservation of flood waters in the Los Angeles County flood control district.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out the word "million", and insert in lieu thereof the words "hundred thousand".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the word "six", and insert in lieu thereof the word "three".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, beginning with the comma following the numerals "1932," strike out all of the printed matter down to and including the word "paid", on page 1, line 14.

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Finance.

Senate Bill No. 73—An act to amend section 7 of chapter 361, Statutes of 1915, entitled "An act to create a levee district to be called and designated Sacramento River west side levee district; to prevent the overflow of flood waters from the Sacramento River from flooding onto the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 89—An act to amend section 15 of chapter 755 of the Statutes of 1915, entitled Los Angeles County Flood Control Act, approved June 12, 1915, as amended, relating to contracts for work, materials and supplies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 345—An act to amend section 2 of chapter 591, Statutes of 1915, entitled "An act to create a reclamation district to be called 'Reclamation District No. 1660,' and providing for the control and management thereof."

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 530—An act concerning the Ehrenburg Bridge across the Colorado River.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 strike out lines 1 and 2 of the title of the printed bill, and insert in lieu thereof the following: "An act authorizing a contract between the State of California and the state of Arizona for the joint purchase of that certain highway bridge across the Colorado river, at or near Ehrenburg, Arizona."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 1, and insert in lieu thereof the following:

"SECTION 1. The department of public works of the State of California, acting by and through the director of public works, is hereby authorized and empowered to contract and agree with the state of Arizona, for and on behalf of the State of California, for the joint purchase with the state of Arizona from the California-Arizona Bridge Company of that certain highway bridge across the Colorado river, at or near Ehrenburg, Arizona, and for the future maintenance thereof, and the act of said department of public works and said director of public works in entering into such contract and agreement with the state of Arizona for the purchase of said bridge is hereby ratified and approved."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Roads and Highways.

Senate Bill No. 505—An act to amend section 626c of the Penal Code and to add two new sections to the Penal Code to be numbered 626c $\frac{1}{2}$ and 626c $\frac{3}{4}$, relating to the protection of game.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "possession", strike out the following: "any swan, or any wild pheasants, except ring-necked pheasants", and insert in lieu thereof: "any wild pheasants, except ring-necked pheasants in fish and game district four and one-half, or any swan".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, after the word "who", insert the following: ", in fish and game district number four and one-half,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, after the word "who", insert the following: ", in fish and game district number four and one-half,".

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Fish and Game.

Senate Bill No. 616--An act to amend section 270 of the Penal Code, relating to omitting to provide child with necessities.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 3, and all that follows that line, and in lieu thereof insert the following:

"270. A father of either a legitimate or illegitimate minor child who wilfully omits without lawful excuse to furnish necessary food, clothing, shelter or medical attendance or other remedial care for his child is guilty of a misdemeanor and punishable by imprisonment in the county jail not exceeding two years or by a fine not exceeding one thousand dollars, or by both. This statute shall not be construed so as to relieve such father from the criminal liability defined herein for such omission merely because the mother of such child is legally entitled to the custody of such child nor because the mother of such child, or any other person, or organization, voluntarily or involuntarily furnishes such necessary food, clothing, shelter or medical attendance or other remedial care for such child, or undertakes to do so.

Proof of abandonment or desertion of a child by such father, or the omission by such father to furnish necessary food, clothing, shelter or medical attendance or other remedial care for his child is prima facie evidence that such abandonment or desertion or omission to furnish necessary food, clothing, shelter or medical attendance or other remedial care is wilful and without lawful excuse.

In the event that the father of either a legitimate or illegitimate minor child is dead or unable by reason of physical or mental infirmity to furnish the necessary food, clothing, shelter or medical attendance or other remedial care for his minor child, the mother of said child shall become subject to the provisions of this section and be criminally liable for the support of said minor child during the period of inability on the part of the father to the same extent and in the same manner as the father would have been had it not been for his physical or mental infirmity.

The provisions of this section are applicable whether the parents of such child are married or divorced, and regardless of any decree made in any divorce action relative to alimony or to the support of the child. A child conceived but not yet born is to be deemed an existing person in so far as this section is concerned."

Amendment adopted.

Bill read second time, ordered to print, and re-referred to Committee on Revision of Criminal Law and Procedure.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 7--An act establishing certain additional State highways and classifying them as secondary highways.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1863--An act to amend sections 1148 and 1193 of the Penal Code, relating to the appearance of the defendant in criminal cases upon the return of the verdict therein and upon the pronouncement of judgment therein.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "Appearance of defendant."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 12, of the printed bill, strike out the words "Pronouncement of judgment."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 34—An act to amend section 537e of the Penal Code, relating to the purchase or sale of manufactured articles from which identification marks have been removed.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON BUILDING AND LOAN ASSOCIATIONS.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Building and Loan Associations, to which was referred Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; absent—3.

INMAN, Chairman.

SECOND READING OF SENATE BILL NUMBER FOUR HUNDRED EIGHTY-ONE.

Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Bureau of Building and Loan Supervision and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal

title XVI of part IV of division I of the Civil Code, chapter 354, of the Statutes of 1911, and acts amendatory thereof and supplemental thereto, chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 44, of the printed bill, after the word "office", insert the words "owned and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 46, of the printed bill, as amended March 3, 1931, strike out the word "natural".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 46, of the printed bill, as amended March 3, 1931, after the word "person", insert the following: ", copartnership or corporation, other than an agent and other than an officer, director, or employee of an agent,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 36, of the printed bill, as amended March 3, 1931, strike out the word "the", where it appears the second time in said line.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 41, of the printed bill, as amended March 3, 1931, after the period following the word "purposes", insert the following new sentence: "The articles of incorporation of each domestic association hereafter incorporated shall state whether such association is formed for the purpose of issuing shares, or stock, or both shares and stock; and shall also state either that such association is formed for the purpose of issuing investment certificates, or that such association is not formed for such purpose."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 48, of the printed bill, as amended March 3, 1931, after the word "shall", insert the word "hereafter".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6 of the printed bill, as amended March 3, 1931, strike out all of line 9 after the semicolon, all of lines 10, 11, 12 and 13, and insert in lieu thereof the words "and (c) such other".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6 of the printed bill, as amended March 3, 1931, strike out all of line 20 after the word "expenditures", and strike out all of lines 21, 22 and 23, and all of line 24 up to and including the word "association".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6 of the printed bill, as amended March 3, 1931, strike out all of line 31 after the word "unsound", and all of lines 32, 33, 34 and 35, and insert a period in lieu thereof.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 7 of the printed bill, as amended March 3, 1931, strike out all of lines 23 to 43, inclusive, and all of line 44 up to and including the period.

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8, line 13, of the printed bill, as amended March 3, 1931, strike out all of lines 13 and 14, and insert in lieu thereof the following:

"SEC. 2.06. Merger, consolidation and transfer. Any two or more domestic associations may be merged into one of such constituent associations, or consolidated into a new association,".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8, line 25, of the printed bill, as amended March 3, 1931, after the word "such", insert "merger,".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8, line 27, of the printed bill, as amended March 3, 1931, after the word "to", insert "mergers,".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 9, lines 18 to 22, inclusive, of the printed bill, as amended March 3, 1931, strike out all commencing with the word "and," on line 18 down to and including the words "such branch", on lines 21 and 22.

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 9, lines 23 to 26, inclusive, of the printed bill, as amended March 3, 1931, strike out all commencing with the words "and in", on line 23 down to and including the words and comma "such branch," on line 26.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 9, line 31, of the printed bill, as amended March 3, 1931, strike out the words "either stock or".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 36, of the printed bill, as amended March 3, 1931, strike out the word "either", and the words "stock or", in line 37.

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 9, line 40, of the printed bill, as amended March 3, 1931, strike out the words "reserve fund", and insert in lieu thereof the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 9, line 43, of the printed bill, as amended March 3, 1931, strike out the words "reserve fund", and insert in lieu thereof the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 18, of the printed bill, as amended March 3, 1931, after the word "with", insert "mergers,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 11, line 28, of the printed bill, as amended March 3, 1931, after the period following the word "holders", insert the following new sentence: "In the case

of all shares hereafter issued by associations issuing both shares and stock, and notwithstanding anything to the contrary hereafter contained in this section, the rate or rates of dividends upon the shares, unless agreed and unless specified in the certificates evidencing such shares, shall be prescribed by the by-laws."

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 11, line 37, of the printed bill, as amended March 3, 1931, strike out the word "per".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 11, line 41, of the printed bill, as amended March 3, 1931, strike out the word "separate", and insert in lieu thereof the words "one or more".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 12, line 3, of the printed bill, as amended March 3, 1931, strike out the word "credit", and insert in lieu thereof the word "credited".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 13, line 3, of the printed bill, as amended March 3, 1931, strike out the numerals "3.06", and insert in lieu thereof the numerals "3.05".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 14, line 3, of the printed bill, as amended March 3, 1931, after the word "with", insert "mergers,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 14, line 15, of the printed bill, as amended March 3, 1931, after the word "for", insert a comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 14, line 31, of the printed bill, as amended March 3, 1931, strike out the words "It shall also file with its"; strike out all of lines 32 to 34, inclusive, and in line 35 the following: "and of its by-laws and of any amendments thereto."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 15, line 43, of the printed bill, as amended March 3, 1931, after the word "with", insert "mergers,".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 16, line 23, of the printed bill, as amended March 3, 1931, strike out the first small "a" in the word "accumulative", and insert in lieu thereof a capital "A".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 17, line 29, of the printed bill, as amended March 3, 1931, strike out the semicolon, and insert a period, then strike out all of lines 30 to 47, both inclusive.

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 17, line 51, of the printed bill, as amended March 3, 1931, strike out the word "and", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 18 of the printed bill, as amended March 3, 1931, strike out all of line 52 after the word "than".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 19 of the printed bill, as amended March 3, 1931, strike out all of lines 1 to 8, inclusive, and all of line 9 up to and including the semicolon, and insert in lieu thereof the following: "four per cent of the sum of the investment certificate liabilities thereof, excluding liabilities on its definite term investment certificates."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 19, line 9, of the printed bill, as amended March 3, 1931, end the line with the semicolon following the word "dollars", and then commence a new line with the word "then".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 19, line 17, of the printed bill, as amended March 3, 1931, strike out the word "fifty", and insert the word "seventy-five".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 19, line 23, of the printed bill, as amended March 3, 1931, strike out the word "associations", and insert in lieu thereof the word "association".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 19, line 45, of the printed bill, as amended March 3, 1931, after the comma following the word "issued", insert the following: "other than an investment certificate issued to a bank".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 20, line 52, of the printed bill, as amended March 3, 1931, strike out the word "two", and in lieu thereof insert the word "three".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 21, line 1, of the printed bill, as amended March 3, 1931, strike out the words "six months", and insert in lieu thereof the words "one year".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 22, line 15, of the printed bill, as amended March 3, 1931, after the word "thereof", insert "and the commissioner".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 22, line 16, of the printed bill, as amended March 3, 1931, strike out the comma following the word "modification", and all of the balance of said line 16, and also strike out the word "commissioner", in line 17.

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 22, line 30, of the printed bill, as amended March 3, 1931, strike out the word "action", and insert in lieu thereof the word "section".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 25 of the printed bill, as amended March 3, 1931, immediately preceding line 46, insert the following: "Article VI—Withdrawals."

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 26, line 14, of the printed bill, as amended March 3, 1931, change the comma to a period; then strike out the word "and", and the remainder of said line 14 and all of lines 15 to 33, both inclusive, and the following portion of line 34 "not be corrected within seven days after such notice."

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 28, line 34, of the printed bill, as amended March 3, 1931, change the period to a semicolon and insert the following: "provided, however, that if, in the case of any association which is on a pro rata basis, the sum of the foregoing items shall become less than ten per cent of the value of all outstanding shares and investment certificates of such association, then, with the prior approval of the commissioner, its board of directors may at their option, by resolution, declare such association to be on notice rather than on a pro rata basis, and thereupon such association shall be an association on notice rather than on a pro rata basis for all the purposes of this act, subject to becoming again an association on a pro rata basis as before."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 29, line 10, of the printed bill, as amended March 3, 1931, strike out the capital "T", in the word "Taxes", and insert in lieu thereof a small "t".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 30, line 37, of the printed bill, as amended March 3, 1931, strike out the comma following the word "further".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 31, line 29, of the printed bill, as amended March 3, 1931, strike out the word "or", and insert in lieu thereof the word "of".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 32, line 34, of the printed bill, as amended March 3, 1931, strike out the word "payment", and insert in lieu thereof the word "payments".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 32, following line 42, of the printed bill, as amended March 3, 1931, insert the following new section:

"Sec. 6.07. Minimum amount of withdrawals. At least eighty per cent of the aggregate value of all shares and investment certificates hereafter issued by each association shall be evidenced by certificates which shall expressly provide that the holder thereof shall have no right to withdraw less than the entire amount evidenced thereby, except that at the option of each association such certificates or any thereof may provide that such holder shall have the right to withdraw the sum of one hundred dollars or multiples thereof. On certificates hereafter issued containing such provision, no withdrawals shall be permitted of amounts less than those prescribed in such respective certificates. The provisions of this section, however, shall not be applicable to associations issuing neither stock nor investment certificates".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 32, line 42, of the printed bill, as amended March 3, 1931, after the new section 6.07 (which has been added as the result of amendment number 56 above) insert the following new section:

"Sec. 6.08. Withdrawals from associations not issuing stock or investment certificates. The provisions of this section shall not be applicable to any association issuing stock or investment certificates, but shall be applicable to any association not

issuing either stock or investment certificates in the event, but only in the event, its by-laws expressly provide that this section shall be applicable to such association. In such case, the provisions of the preceding sections of this article shall also be applicable to such associations, but only if and to the extent that they are not inconsistent with the provisions of this section. In all such associations, holders of free shares therein desiring to withdraw in whole or in part may do so by giving notice thereof in writing of the amount desired to be withdrawn. At all times the right of shareholders to receive payment of withdrawals shall be secondary and subsequent to the right of such association to pay and to provide reasonable reserves for the payment of the following: dividends on shares, taxes, assessments, insurance, amounts necessary to fulfill previous loan commitments, and other sums necessary to protect and preserve its properties and its interests in properties (including those on the security of which it holds loans); principal and interest on borrowings by such association; rent, compensation of officers, agents, salesmen and other employees, and other usual and ordinary operating expenses of such association.

While such association is on notice and subject to the foregoing provisions, not more than one-half of the net monthly receipts from assets then owned, in any one month, shall be applied to withdrawals for that month without the consent of the board of directors, and such payment shall continue until the value of all shares with respect to which notices of withdrawal are on file has been reduced to an amount less than three per cent of the value of all outstanding shares. No shareholders shall be permitted to withdraw whose shares are pledged to the association as security for a loan until such loan is fully paid. Whenever the demands of withdrawing shareholders exceed the money applicable to their payment, the notices of intention to withdraw must be registered in the order of filing and while such association is on notice payments thereon must be made in succession in the order that such notices were filed and registered. The remaining one-half of net receipts of such association may be used, in the discretion of the board of directors, for payment of withdrawals not noticed, subject to such limitations as the board of directors may fix, and for the operating expenses of the business and for making loans to members, or applied, in the discretion of the board of directors, to payment of withdrawals on notice. Such association shall at no time be on a pro rata basis, except as herein-after provided.

All new investments by shareholders after such association is on notice, whether made upon shares already issued or upon new shares issued, shall have priority and shall have a prior right of withdrawal as against all other shareholders.

Whenever an application for withdrawal of free shares shall have been on file, or the payment of matured shares demanded, and either shall have remained unpaid for a period of one year, all the receipts of such association from dues, interest, premium, loans repaid, and the proceeds of all other investments, shall, after the payment of expenses and general indebtedness, be applied toward the payment of withdrawals and maturities; and the board of directors or the commissioner may direct that such payments shall be made upon a ratable and proportionate basis. Whenever such application or demands, whether heretofore or hereafter made, have been on file and remain unpaid in whole or in part for more than two years the commissioner may in his discretion forthwith take possession of the property and business of such association, and retain such possession until its affairs be finally liquidated in the manner provided by law for the liquidation of associations by him, or until such association may be allowed to resume business upon such conditions as may be approved by the commissioner."

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 33, line 27, of the printed bill, as amended March 3, 1931, strike out the comma following the word "debts".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 35, line 7, of the printed bill, as amended March 3, 1931, strike out all of lines 7 to 44, both inclusive, and in lieu thereof insert the following paragraph:

"Sec. 7.06. Assessments to restore impaired capital. Whenever it shall appear from the report of any association, or the commissioner shall have reason to believe, that the value of the assets of any association after first deducting therefrom the amount of liabilities of such association, including its outstanding investment certificates and shares at the value thereof, is less than the aggregate par value of its outstanding stock, or, in the case of an association issuing both stock and investment certificates, is less than the investment certificate reserve required for such association pursuant to section 5.03 of this act, it shall be the duty of the commissioner and he shall have the power to examine such association and ascertain the facts, and in case he finds that such deficiency exists he shall require such association to make good such deficiency within sixty days after the date of such requisition. The directors of every such association upon which such request shall have been made, shall levy an assessment upon the stock thereof to repair such deficiency, and shall cause notice of such request to be given to each stockholder of such association

and of the amount of the assessment which he must pay for the purpose of making good such deficiency. If any stockholder shall refuse or neglect to pay the assessment specified in such notice within thirty days from the date of mailing or serving such notice, the directors of such association shall have the right to sell to the highest bidder at public auction the stock of such stockholder, after giving a previous notice of such sale for ten days in a newspaper of general circulation published in the county where the principal office in this state of such association is located, and a copy of such notice of sale shall also be served on such stockholder by being served personally on him or by mailing to his last known address ten days before the day fixed for such sale, or such stock may be sold at a private sale and without such public notice; *provided, however*, that before making such private sale thereof an offer in writing shall first be obtained and a copy thereof served upon the owner of record of the stock to be sold, either personally or by mailing a copy of such offer to his last known address, and if, after service of such offer, such owner shall still refuse or neglect to pay such assessment within two weeks from the time of the service of such offer, the said directors may accept such offer and sell such stock to the person making such offer, or to any other person or persons making a larger offer than the amount named in the offer submitted to the stockholder; but such stock shall in no event be sold for a smaller sum than the valuation put on it by the commissioner in his determination and requisition as to such assessment, nor for less than the amount of such assessment so called for and the expense of sale. Out of the avails of the stock so sold, the directors shall pay the amount of assessment levied thereon, and the necessary cost of sale, and the balance, if any, shall be paid to the person or persons whose stock has thus been sold. A sale of stock as herein provided shall effect an absolute cancellation of the outstanding certificate or certificates evidencing the stock so sold, and shall make the same null and void and a new certificate shall be issued by the association to purchaser thereof."

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 36, line 6, of the printed bill, as amended March 3, 1931, change the semicolon to a period and strike out the words "but shareholders shall be liable", on line 6, and strike out all of lines 7, 8 and 9.

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 36, line 10, of the printed bill, as amended March 3, 1931, strike out the words "to certificate holders".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 40, line 25, of the printed bill, as amended March 3, 1931, insert a comma following "(6)".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 41, line 33, of the printed bill, as amended March 3, 1931, insert the word "to", before the word "combined".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 43, line 14, of the printed bill, as amended March 3, 1931, after the period following the word "applied", commence the matter appearing in line 15, so as to make lines 15 to 18, inclusive, a continuation of the paragraph now ending with the word "applied", in line 14.

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 43, line 50, of the printed bill, as amended March 3, 1931, strike out the comma following the word "further".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 44, line 21, of the printed bill, as amended March 3, 1931, after the word "pledge", insert a comma.

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 44, following line 43, of the printed bill, as amended March 3, 1931, insert the following new paragraph:

"No loan shall be made upon the appraisalment of, nor shall compensation for any appraisalment be paid to, any appraiser, officer or member of any committee who shall not have been first approved in writing by the commissioner for such association. Such approval may be subject to such limitations as may be provided by the commissioner, and may be revoked, for cause, after a hearing and due notice thereof first given to the appraiser and the association".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 45, line 24, of the printed bill, as amended March 3, 1931, strike out the word "fund".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 47, line 16, of the printed bill, as amended March 3, 1931, strike out the word "any".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 47, line 17, of the printed bill, as amended March 3, 1931, strike out all of the line except the word "money".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 47, line 18, of the printed bill, as amended March 3, 1931, after the word "or", insert the word "otherwise".

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 48, line 6, of the printed bill, as amended March 3, 1931, strike out the word "system", and insert in lieu thereof the word "classification".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 48, line 7, of the printed bill, as amended March 3, 1931, strike out the word "system", and insert in lieu thereof the word "classification".

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 48, line 13, of the printed bill, as amended March 3, 1931, strike out the word "system", and insert in lieu thereof the word "classification".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 48, line 13, of the printed bill, as amended March 3, 1931, strike out the word "uniform", and insert in lieu thereof the word "uniform".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 48, line 29, of the printed bill, as amended March 3, 1931, strike out the word "No"; then strike out the balance of said line 29 and all of lines 30 to 33, both inclusive.

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 48, line 40, of the printed bill, as amended March 3, 1931, strike out the comma following the word "accounts", and insert in lieu thereof a semicolon; then strike out the comma following the word "or".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 48, line 46, of the printed bill, as amended March 3, 1931, strike out the comma following the word "or".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 49, line 12, of the printed bill, as amended March 3, 1931, strike out the words "reserve fund", and insert in lieu thereof the words "loan reserve".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 50, line 30, of the printed bill, as amended March 3, 1931, strike out the word "certified".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 50, line 33, of the printed bill, as amended March 3, 1931, after the words "certified", both times in said line, insert the words "or other".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 50, line 37, of the printed bill, as amended March 3, 1931, strike out the word "certified".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 51, line 2, of the printed bill, as amended March 3, 1931, after the word "his", insert the words "deputies or".

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 51, line 36, of the printed bill, as amended March 3, 1931, strike out the semicolon.

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 53, line 9, of the printed bill, as amended March 3, 1931, after the comma following the word "person", insert the following: "firm or corporation".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 55, line 11, of the printed bill, as amended March 3, 1931, strike out the word "provision", and insert in lieu thereof the word "provisions".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 55, line 27, of the printed bill, as amended March 3, 1931, strike out the words "not previously"; and in line 28, strike out the words "filed with the commissioner".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 55, line 29, of the printed bill, as amended March 3, 1931, after the comma following the word "thereto", insert the following: "not previously filed with the commissioner".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 56, line 33, of the printed bill, as amended March 3, 1931, strike out the word "commissioner", and insert in lieu thereof the words "state treasurer".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 57, line 43, of the printed bill, as amended March 3, 1931, after the period following the word "certificates", commence the matter appearing in line 44, so as to make lines 44 to 46, inclusive, a continuation of the paragraph now ending with the word "certificates", in line 43.

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 57, line 46, of the printed bill, as amended March 3, 1931, strike out the word "executed", and insert in lieu thereof the word "executed".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 59, line 36, of the printed bill, as amended March 3, 1931, strike out the words "primarily as the principal office or branch", and insert in lieu thereof the words "in connection with the business".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 59, line 50, of the printed bill, as amended March 3, 1931, after the word "forms", insert the words "of such instruments".

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 60, line 1, of the printed bill, as amended March 3, 1931, strike out all of lines 1 to 4, both inclusive, and insert in lieu thereof the following: "any such form is unauthorized and shall state the reason or reasons that such form is unauthorized, such association shall not thereafter use such form. Notwithstanding anything to the contrary contained in this section, any form of stock, shares, investment certificate, note, trust deed or mortgage may be used without delay if such form has been approved by the commissioner. All investment certificates and notes shall express the rate of interest to be paid thereon. No violation of any of the provisions of this section shall render invalid any stock, shares, investment certificate, note, trust deed or mortgage."

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 61, line 20, of the printed bill, as amended March 3, 1931, strike out the words "at the pleasure", and in the following line, strike out "of the governor", and in lieu thereof, insert the following: "for a term of four years, unless otherwise provided by statute".

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 63 of printed bill, as amended March 3, 1931, the matter commencing in line 14 should not start a new paragraph but should be a continuation of the paragraph now ending with the word "association", in line 13.

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 64, line 15, of the printed bill, as amended March 3, 1931, after the word "witnesses", insert the following: ", including former officers, directors, agents, salesmen, collectors and employees of any association".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 64, line 28, of the printed bill, as amended March 3, 1931, strike out the word "their", and insert in lieu thereof the word "his".

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 64, line 44, of the printed bill, as amended March 3, 1931, strike out the numerals "12.11", and insert in lieu thereof the numerals "13.11".

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX

On page 64, line 30 of the printed bill, as amended March 3, 1931, strike out the word "law," and insert in lieu thereof the word "law."

Amendment adopted.

AMENDMENT NUMBER NINETY-SEVEN

On page 69, line 17, of the printed bill, as amended March 3, 1931, following the word "after," insert the word "such."

Amendment adopted.

AMENDMENT NUMBER NINETY-EIGHT

On page 69, line 43, of the printed bill, as amended March 3, 1931, after the word "thereof," insert a comma.

Amendment adopted.

AMENDMENT NUMBER NINETY-NINE

On page 69, line 48, of the printed bill, as amended March 3, 1931, after the word "made," insert a comma.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED

On page 74, line 2, of the printed bill, as amended March 3, 1931, strike out the comma following the word "therewith," and insert in lieu thereof a semicolon.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ONE

On page 75, line 24, of the printed bill, as amended March 3, 1931, strike out the comma following the word "and."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWO

On page 74, line 3, of the printed bill, as amended March 3, 1931, after the word "shall," insert the following: "if lawfully made, issued or done and not heretofore revoked or rescinded."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED THREE

On page 74, line 10, of the printed bill, as amended March 3, 1931, after the word "approved," insert a comma and the word "legislation."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FOUR

On page 74, line 32, of the printed bill, as amended March 3, 1931, after the word "and," insert a comma.

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED FIVE

On page 75 of the printed bill, as amended March 3, 1931, following section 1408 add the following:

Article XV. Borrowers' Mutual Building and Loan Associations.

Sec. 1501. Borrowers' mutual building and loan associations defined. The term "borrowers' mutual building and loan association" is hereby defined to mean any incorporated corporation which shall have been incorporated to conduct or shall be engaged in conducting the business of borrowing, receiving and lending money in accordance with the provisions of this article only, and which shall have no non-revocable capital, and which shall make loans on the mutual plan only, and which shall issue no investment certificates, and shall not conduct or maintain any business, and, in case of each such association heretofore incorporated, shall have its principal office in a city or town of not more than ten thousand population.

Sec. 1502. This article is an exception to the other provisions of this act. Nothing contained in this act shall in any manner affect, control, or apply to any borrowers' mutual building and loan association, except the following sections in this article and such other portions of this act as are expressly made applicable thereto.

by the following sections of this article. The following sections of this article shall not affect, control or apply to any building and loan associations except borrowers' mutual building and loan associations.

Sec. 15.03. Powers—purposes for which formed. Borrowers' mutual building and loan associations shall have power to receive money and accumulate funds to be loaned, and to loan the same to their shareholders, to permit shareholders and investors to withdraw part or all of their payments or investments, and to prescribe the terms and conditions of such withdrawal; to cancel shares, the payments on which have been withdrawn; to borrow money for the purpose of making loans and of paying withdrawals and maturities; and shall have such further powers as may be specifically set forth under this article; *provided, however*, that no such association shall, at any time, have or carry upon its books, for any member or investor, any demand, commercial or checking account or any credit to be withdrawn upon the presentation of any negotiable check or draft.

Every such corporation hereafter formed, setting forth the purposes for which it is formed, shall state, in its articles of incorporation, that it is formed to encourage industry, frugality, home building and savings among its shareholders and members; the accumulation of savings; the loaning to its shareholders and members of the moneys or funds so accumulated, with the profits and earnings thereon, and the repayment to each of his savings and profits, whenever they have accumulated to the full par value of the shares, or at any time when he shall desire the same or when the corporation shall desire to repay the same, as it may be provided in the by-laws; and shall also state that it is formed for all purposes specified in this article, and nothing in the statutes of this state, to the contrary notwithstanding, shall preclude any such association in any of its advertising from setting forth any of the foregoing purposes.

Sec. 15.04. Capital, how accumulated, classes of shares. The capital of every such corporation shall be divided into shares of the matured or par value of one hundred or two hundred dollars each, as provided by the articles of incorporation, and shall be paid in by the subscribers in the manner provided by the by-laws. All such payments shall be called dues. Certificates shall be issued to each shareholder on the first payment of dues by him. Shares pledged as security for the payment of a loan shall be called pledged shares, and all others free shares. All shares matured and surrendered or canceled, shall become the property of the corporation and may be reissued. The capital shall consist of the accumulated dues, together with the apportioned profits of the corporation, and shall be accumulated by the issuance of "installment shares," "prepaid shares" or "full paid shares," as defined in section 3.02 of this act.

Sec. 15.05. Entrance and transfer fees. Every borrowers' mutual building and loan association shall also have power, by its by-laws, to charge and collect an entrance fee for each share it may issue, not exceeding ten cents on each share, and also to charge and collect a transfer fee, not exceeding ten cents on each share, all of which fees shall be accounted for by the corporation like other funds of the association. No other fee, charge or deduction shall ever be made, or permitted to be made against any shareholder, or against any of his shares, hereafter issued, or the dues paid in thereon for the purpose of creating a fund to be issued in the payment of current or running expenses.

Sec. 15.06. Retiring free shares. The directors may in their discretion, under the regulations prescribed by the by-laws, retire any free shares by enforcing the withdrawal thereof, but whenever the withdrawal of any shares is to be enforced, the holders thereof must be paid the amount actually paid in, and the full amount of earnings at the date of retirement; *provided*, the installment shares shall not be forced out until after they shall have become four years old.

Sec. 15.07. Maturity of shares and payment. When any share shall have reached its matured value, payment of dues thereon shall cease. Borrowing shareholders whose loans are fully paid shall have their securities released and returned to them. Holders of free shares shall be paid the matured value thereof out of the funds of the corporation with interest at such rate as the by-laws shall provide, from the time the board of directors shall declare such shares to have been matured, until paid; but at no time shall more than one-half of the receipts of the corporation be applicable to the payment of matured shares without the consent of said board. The order of the payment of matured shares, if not otherwise determined by the by-laws, shall be in the numerical order of issuance.

Sec. 15.08. Officers and directors may not borrow. Loans shall be made upon the mutual plan only, accompanied by a pledge of shares having a matured or par value equal to the face of the loan. It shall be unlawful for any director or officer of any corporation governed by this article directly or indirectly, for himself, or as a partner or agent for others, to borrow any of the funds of such corporation, and any officer or director violating the provisions of this section shall be guilty of a felony. Any officer or director of any such corporation who consents on behalf of such corporation to make a loan to any officer or director of such corporation shall be guilty of felony and shall also be personally liable to the corporation for the full amount thereof. Any officer, or director or employee of such corporation who asks or receives or consents or agrees to receive any commission, emolument, gratuity or reward, or

any money, property or thing of value, for his own personal benefit or of personal advantage, for procuring or endeavoring to procure for any person, firm or corporation any loan from such corporation, is guilty of a felony. It shall be unlawful for any borrower's mutual building and loan association, corporation or society, organized under the provisions of this article, to loan any of its funds upon the security of, or to invest any of its funds in mining shares or mining stocks, or in the stocks or bonds of any corporation, other than in this article provided; and any officer or director who, on behalf of any such corporation, shall make any such loan or investment, or who shall consent thereto, shall be personally liable to the corporation for the whole amount of any such loan or investment, and shall also be guilty of a felony.

Sec. 15.09. Security for loans, interest rate to appear. For every loan made a note or obligation, expressing and setting forth the exact rate of interest, must be executed by the borrower secured by a first mortgage or deed of trust upon real estate having an appraised value of not less than twenty-five per cent in excess of the face of the loan, or in lieu of a mortgage or deed of trust, loans to the extent of not exceeding ninety per cent of the then withdrawable value, may be made upon the pledge of free shares as security for their repayment. The board of directors may from time to time fix the rate of interest to be charged on loans. A borrower may at any time repay his loan together with interest or arrears due thereon and upon the surrender of the shares pledged as security therefor.

Sec. 15.10. Arrears in payment; default, forfeitures. Whenever any non-borrowing member shall be six months in arrears in the payment of his dues upon free shares, the secretary may give him notice thereof in writing, and a statement of his arrearages, by mailing the same to him at his last post-office address given by him to the association; and if he shall not pay all arrearages within two months thereafter, the board of directors may, at their option, declare his shares forfeited, and at the time of such forfeiture, the withdrawal value thereof shall be determined and stated, and the defaulting member shall be entitled to withdraw the same without interest, upon such notice as shall be required of a withdrawing shareholder. Whenever a borrower shall be three months in arrears in the payment of his dues or interest, the whole loan shall become due at the option of the board of directors, and they may proceed to enforce collection upon the securities held by the association. Upon or after exercising such option, the withdrawal value of all shares pledged as collateral security shall be applied to the payment of the loan, and said shares from the time of such application shall be deemed surrendered to the association and canceled.

Sec. 15.11. May purchase real estate on foreclosure sale. Any such association may purchase at any sale, public or private, any real estate upon which it may have a mortgage, judgment, lien, or other encumbrance, or in which it may have an interest, and may sell, lease or mortgage the same, at pleasure, to any person or persons.

Sec. 15.12. Apportionment of profits; and reserve. Profits and losses shall be apportioned at least annually, and shall be apportioned to all shares in each class at the time of such apportionment, according to the actual or book value thereof. If the reserve fund shall not equal five per cent of the outstanding loans at the time of each apportionment of profits, the directors shall set aside, as a reserve fund, not less than five per cent of the net profits accruing since the last prior apportionment, and shall continue so to do until said fund shall amount to at least five per cent of the loans in force, at which figure said fund shall thereafter be maintained. Said reserve fund shall at all times be available to meet losses arising from any source.

Sec. 15.13. Withdrawals; conditions and limitations. A shareholder desiring to withdraw from any such corporation or to surrender a part or all of his shares, may do so by giving thirty days' notice, in writing, of his intention or desire so to do. On the expiration of such notice he is entitled to receive the full amount paid in upon the shares surrendered, exclusive of the entrance fee, together with such proportion of the earnings thereon as the by-laws may provide, or as may be fixed by the board of directors; but not more than one-half of the monthly receipts in any one month must be applied to withdrawals for that month, without the consent of the board of directors, and no shareholder shall be permitted to withdraw whose stock is pledged to the corporation as security for a loan, until such loan is fully paid. All withdrawals must be paid in succession in the order that the notices of intention are given. Whenever the demands of withdrawing shareholders exceed the money applicable to their payments, the notices of intention to withdraw must be registered in the order of filing and payments thereon must be made in succession, in the order that such notices were filed and registered.

Sec. 15.14. Demands unpaid for two years, business may be taken over. Whenever an application for withdrawal of free shares shall have been on file, or the payment of matured shares demanded and either shall have remained unpaid for a period of one year, all the receipts of the association from dues, interest, premium, loans repaid, and the proceeds of all other investments, shall, after the payment of expenses and general indebtedness, be applied toward the payment of withdrawals and maturities; and the board of directors or the building and loan commissioner may direct that such payments shall be made upon a ratable and proportionate basis. Whenever such applications or demands, whether heretofore or hereafter

made, have been on file and remain unpaid in whole or in part for more than two years, the building and loan commissioner may in his discretion forthwith take possession of the property and business of such association, and retain such possession until its affairs be finally liquidated in the manner provided by article XIII of this act.

Sec. 15.15. Who may become members. Any person of full age and sound mind may become a member of a borrowers' mutual building and loan association by taking one or more shares therein and subscribing to the by-laws, and annexing to his signature his post-office address. A minor may hold shares in the name of a parent, guardian, or next friend, as trustee. The shares in any such corporation held by any person, to the extent of one thousand dollars, shall be exempt from execution.

Sec. 15.16. State supervision and control. Borrowers' mutual building and loan associations as in this article defined, doing business in this state, shall be under the supervision and control of the building and loan commissioner and each section of article XIII of this act is hereby incorporated into and made part of this article for the purpose of examination, reports on, regulation, control and liquidation of borrowers' mutual building and loan associations.

Sec. 15.17. Investments permitted. Any borrowers' mutual building and loan association may invest in or loan upon bonds of the United States, of the State of California, or of any county, municipality or school district of said state, or of any public utility corporation, or notes or bonds secured by mortgage or deed of trust, payment of which is guaranteed by a policy of mortgage insurance, or mortgage participation certificates, issued by a mortgage insurance company, in accordance with the provisions of chapter 8 of article II of part IV of division I of the Civil Code, and may also invest in bonds or securities certified by the superintendent of banks to be legal as investments for savings banks in accordance with the provisions of an act entitled "An act to define and regulate the business of banking", approved March 1, 1909, and acts amendatory thereof and supplemental thereto."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

RUSH ORDER TO PRINTER.

On motion of Senator Inman, the Secretary was directed to issue a rush order for printing Senate Bill No. 481.

SPECIAL ORDER.

Senator Inman moved that Senate Bill No. 481 be made a special order for Monday, March 23, 1931, at two o'clock p.m.

Motion carried.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senator Riley's resolution, relative to the appointment by the Senate of a committee to investigate the matters in dispute between the city of Los Angeles and some residents of Inyo and Mono counties, heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

RESOLUTION.

By Senator Riley:

WHEREAS, The city of Los Angeles has diverted and appropriated certain waters of Inyo County and Mono County to the use and benefit of the city of Los Angeles, and in the course of such diversion and appropriation has condemned certain lands; and

WHEREAS, It has been represented that the taking of said waters has resulted in the depreciation of the value of certain lands owned by individuals and a reduction of the revenues of the county derived from the taxation of such lands; and

WHEREAS, It may be necessary and advisable during the forty-ninth session of the Legislature to take some action relative to the conditions which have thus arisen; and

WHEREAS, It is advisable that a committee be appointed to study these matters, and to report back its findings, and to make such recommendations concerning legislation in connection therewith as it may deem desirable; now, therefore, be it

Resolved by the Senate, That a committee, consisting of five members of the Senate, be appointed by the President of the Senate to investigate the above mentioned matters

and report back its findings together with its recommendations to the Senate as soon thereafter as may be convenient during the forty-ninth session of the Legislature; and be it further

Resolved, That said committee may incur expenses necessary to its investigations in a sum not to exceed \$2,000 to be paid from the Contingent Fund of the Senate.

Resolved, further, That said committee shall proceed at once to organize by the election of one of its members as chairman and one as secretary, and proceed with said investigation in the manner to be determined by said committee.

Resolved, further, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters, objects, and conditions hereinabove referred to; to hold meetings and hearings anywhere in the State and shall hold meetings and hearings in Inyo and Mono counties; to require the production of persons, books, documents, records and papers; to issue subpoenas; to compel the attendance of witnesses and procure the testimony thereof; and each of the members of said committee is hereby authorized to administer oaths; all of the provisions of article VIII of chapter 2, title 1, part III of the Political Code relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed under this resolution.

Resolved, further, That said committee is hereby given leave to sit during the session of the Legislature at the Capitol or at such other place as the committee, from time to time, may designate.

SUBSTITUTE RESOLUTION.

The following resolution was offered by Senator McKinley, as a substitute resolution in place of Senator Riley's resolution, now before the Senate:

By Senator McKinley:

SENATE CONCURRENT RESOLUTION No. 21.

Relative to appointing a committee to investigate the situation caused by the condemnation of lands in Mono and Inyo counties for the purpose of bringing water into Los Angeles County.

WHEREAS, The city of Los Angeles has diverted and appropriated certain waters in Inyo County and Mono County to the use and benefit of the city of Los Angeles, and in the course of such diversion and appropriation has condemned certain lands; and

WHEREAS, It has been represented that the taking of said waters has resulted in the depreciation of the value of certain lands owned by individuals and a reduction of the revenues of the county derived from the taxation of such lands; and

WHEREAS, It may be necessary and advisable during the forty-ninth session of the Legislature to take some action relative to the conditions which have thus arisen; and

WHEREAS, It is advisable that a committee be appointed to study these matters, and to report back its findings, and to make such recommendations concerning legislation in connection therewith as it may deem desirable; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That a committee of six members, consisting of three members of the Senate, and three members of the Assembly, be appointed by the President of the Senate and the Speaker of the Assembly, respectively, to investigate the above mentioned matters and report back its findings together with its recommendations to the Senate as soon thereafter as may be convenient during the forty-ninth session of the Legislature; and be it further

Resolved, That said committee may incur expenses necessary to its investigations in a sum not to exceed two thousand four hundred dollars (\$2,400), half to be paid by each house out of its contingent fund; and be it further

Resolved, That said committee shall proceed at once to organize by the election of one of its members as chairman and one as secretary, and proceed with said investigation in the manner to be determined by said committee; and be it further

Resolved, That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters, objects, and conditions hereinabove referred to; to hold meetings and hearings anywhere in the State and shall hold meetings and hearings in Inyo and Mono counties; to require the production of persons, books, documents, records and papers; to issue subpoenas; to compel the attendance of witnesses and procure the testimony thereof; and each of the members of said committee is hereby authorized to administer oaths; all of the provisions of article VIII of chapter 2, title 1, part III of the Political Code, relative to the attendance and examination of witnesses before the Legislature and committees thereof shall apply to the committee appointed by this resolution; and be it further

Resolved, That said committee is hereby given leave to sit during the session of the Legislature at the Capitol or at such other place as the committee, from time to time, may designate.

Senator McKinley moved to substitute Senate Concurrent Resolution No. 24 in place of Senator Riley's resolution now before the Senate.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Evans, Rochester and Pedrotti on Senator McKinley's motion to substitute Senate Concurrent Resolution No. 24 in place of Senator Riley's resolution.

The roll was called, and Senator McKinley's motion to substitute Senate Concurrent Resolution No. 24 in place of Senator Riley's resolution lost by the following vote:

AYES—Senators Carter, Clock, Evans, McKinley, Pedrotti, and Rochester—6

NOES—Senators Allen, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Edwards, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—25.

MOTION TO EXTEND HOUR OF RECESS.

At one o'clock p.m., Senator Breed moved that the hour of recess be extended until the conclusion of the argument on Senator Riley's resolution now before the Senate.

MOTION BY SENATOR FELLOW.

Senator Fellow moved, as a substitute motion to Senator Breed's motion, to extend the hour of recess, that further consideration of Senator Riley's resolution be made a special order of business at two o'clock p.m., ahead of Senate Bill No. 169 heretofore set as a special order for two o'clock p.m.

POINT OF ORDER.

Senator Swing raised the point of order that the substitute motion, offered by Senator Fellow, was out of order as Senator Breed's motion merely calls for a continuance of time to conclude the debate on Senator Riley's resolution.

DECISION ON POINT OF ORDER.

The President announced his decision and declared the point of order well taken.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators McKinley, Duval and Cassidy on Senator Breed's motion to extend the hour of recess.

Senator Breed's motion to extend the hour of recess carried by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Duval, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Swing, Waggy, and Williams—25.

NOES—Senators Allen, Baker, Crittenden, Fellow, Maloney, Mixer, Riley, Slater, Treacy, and Tubbs—10.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Sharkey, Rich and McKinley on Senator Riley's resolution relative to the appointment by the Senate of a committee to investigate the matters in dispute between the city of Los Angeles and some residents of Inyo and Mono counties.

The roll was called, and Senator Riley's resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Fellow, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson,

Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—27.

NOES—Senators Baker, Carter, Clock, Evans, McKinley, Pedrotti, Rochester, and Wagy—8.

MOTION TO RESET SPECIAL ORDER.

Senator Breed moved that Senate Bill No. 169, heretofore set as a special order for two o'clock p.m., be reset as a special order for three o'clock p.m.

Motion carried.

RECESS.

On motion of Senator Breed, at one o'clock and thirty minutes p.m., the President of the Senate declared recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 169—An act to amend section 78 of the Political Code, relating to senatorial and assembly districts—and reports that the same has been correctly engrossed.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 408—An act to amend section 347½ of the Penal Code, relating to the sale and use of drugs;

Also: Senate Bill No. 807—An act to authorize the Division of Forestry of the Department of Natural Resources to purchase land for lookout sites and other administrative purposes;

And reports that the same have been correctly engrossed.

CASSIDY, Vice Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code;

Also: Senate Bill No. 264—An act to add new sections to the Code of Civil Procedure, to be numbered 1043 and 1044, and to amend sections 763 and 963 of said code;

Also: Senate Bill No. 597—An act to revise and consolidate the law relating to guardianship, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law herein revised and consolidated and herein specified; and to establish a division of the Probate Code;

Also: Senate Bill No. 435—An act to add a new section to the Political Code, to be numbered section 393a, providing where certain actions may be commenced and tried, and for the change of place of trial of such actions;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—11; absent—6.

CHRISTIAN, Chairman.

Senate Bills Nos. 18, 264, 597 and 435 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 261—An act to repeal chapter 172, Statutes of 1893, entitled "An act to provide for the appointment of guardians of children maintained in any orphan's home or orphan asylum in this State," approved May 23, 1893;

Also: Senate Bill No. 262—An act to repeal chapter 663, Statutes of 1929, entitled "An act concerning the guardianship of incompetent veterans and of minor children of dependent or deceased veterans and the commitment of veterans and to make uniform the law with reference thereto," approved June 3, 1929;

Also: Senate Bill No. 265—An act to repeal section 92 of chapter 76, Statutes of 1909, entitled "An act to define and regulate the business of banking," approved March 1, 1909;

Also: Senate Bill No. 266—An act to amend sections 4181 and 4182 of the Political Code, relating to the duties of the public administrator;

Also: Senate Bill No. 263—An act to amend section 138 of the Civil Code, relating to orders respecting custody and maintenance of minor children of the marriage in actions for divorce;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—16; committee vote: Ayes—13; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 261, 262, 265, 266 and 263 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 447—An act to add a new section to the Civil Code to be numbered 48a, relating to libel;

Also: Assembly Bill No. 704—An act to amend section 43007 of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts;

Also: Assembly Bill No. 1039—An act providing for the appointment of an additional notary public for the city and county of San Francisco for the accommodation of the inhabitants of said city and county residing at the Presidio of San Francisco;

Also: Assembly Bill No. 1049—An act to amend section 1714½ of the Civil Code, relating to negligence on the part of State officers, agents and employees of the State, counties, cities and counties, municipal corporations, the State Compensation Insurance Fund, irrigation districts, school districts, districts established by law and political subdivisions of the State, and authorizing the issuance of insurance covering such liability;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—11; absent—6.

CHRISTIAN, Chairman.

Senate Bill No. 447 ordered on file for second reading.

Assembly Bills Nos. 704, 1039 and 1049 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 132—An act to amend section 20a of the California Real Estate Act, approved May 27, 1919, as amended, relating to reports on subdivided lands—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Governmental Efficiency.

Committee membership—17; committee vote: Ayes—11; absent—6.

CHRISTIAN, Chairman.

Senate Bill No. 132 ordered re-referred to Committee on Governmental Efficiency.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 497—An act to amend section 20a of chapter 605, Statutes of 1919, entitled California Real Estate Act, relating to colonization subdivisions—has had the same under consideration, and respectfully reports the same back with amendments,

and recommends that the amendments be adopted, and be re-referred to the Committee on Governmental Efficiency.

Committee membership—17; committee vote: Ayes—11; absent—6.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 497 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, strike out commencing with the word "incumbrances", to and including the word "and", beginning on line 15, and insert in lieu thereof the following: "a true statement of the condition of the title to the land, particularly including all incumbrances thereon and the holders thereof, the terms and conditions on which it is intended to dispose of said land."

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out all commencing with the words "in case the -----", down to and including the words, "contracts of sale", on page 2, and insert in lieu thereof the following: "In case the lands to be subdivided shall be subject to a lien or encumbrance securing or evidencing the payment of money or any obligation relating to the subdivided lands other than taxes or assessments levied by public authority, or in case the interest of the owner or subdivider be held under option or contract of purchase or in trust, it shall be unlawful to sell any land in such subdivision unless provision exists in such lien, encumbrance, option, contract or trust agreement, or in a valid supplementary agreement enabling the vendor to deliver, when due, title to each parcel sold free of such lien, encumbrance, option, contract or trust agreement, and unless provision exists by valid agreement providing for the impounding of sufficient of the payments to be made by the buyer to enable the vendor to deliver title when due clear of such lien, encumbrance, option, contract or trust agreement. Certified or verified copies of documents containing such provisions shall be filed with the real estate commissioner prior to sale of any part of the subdivision. All agreements of sale made in violation of this section shall be voidable at the option of the buyer."

AMENDMENT NUMBER THREE.

On page 2, line 11, of the printed bill, strike out the comma at the end of the line and insert in lieu thereof a period.

AMENDMENT NUMBER FOUR.

On page 2, line 11, of the printed bill, strike out all commencing with the words "nor more than", and ending on line 13, with the words "of the commissioner," and insert in lieu thereof the following: "If the project be situated outside of this state the questionnaire shall be accompanied by a fee equal to three cents a mile for each mile going and returning estimated by the commissioner to be traveled by railroad from Sacramento to the location of the project, plus a fee of fifty dollars. In the event the time consumed in the examination exceeds five days, the owner or subdivider shall after the examination of the project pay to the commissioner a sum at the rate of ten dollars per day for each day consumed in such examination over and above five days."

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 290—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that said bill do pass as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Senate Bill No. 290 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 492—An act to add a new section to the Political Code to be numbered 3881a, to authorize the county auditor to enter corrections on the county assessment book—

has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—17; committee vote: Ayes—11; absent—6.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 492 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the title of the printed bill, following the word "book", insert "and the county tax collector to cancel payments made in error under certain conditions".

AMENDMENT NUMBER TWO.

On page 1, line 28, of the printed bill, following the period add the following:

"If a property owner by mistake pays the tax on other property than the one intended and by substantial evidence convinces the county or city and county tax collector that the payment was intended as payment of taxes on another property and if no guaranty or certificate of title has issued respecting the property since the payment was credited, a cancellation of the credit and transfer thereof to the property intended may be made by the tax collector; *provided*, that the owner of the property from which the credit is to be removed shall be notified by the tax collector by registered mail at his last known address respecting such change.

The notice shall state that such person may within ten days after the mailing thereof demand a hearing by the board of supervisors. Such demand shall be made in duplicate and one copy must be filed with the tax collector, whereupon such board shall set a time for such hearing and its decision shall be conclusive relative to such change.

Credit for the amount paid by applicant shall, if sufficient to pay the same, be transferred on the roll and credited as payment of the taxes against the property to which applicant intended his original payment applied; if not sufficient for such payment, such credit shall be transferred only upon payment by him of the balance necessary to make such payment in full. If such additional payment is not made by him, a transfer of such credit shall not be made hereunder. If the amount mistakenly paid exceeds the amount of the tax against the other property, the excess shall be refunded to applicant in the same manner as an overcollection of tax.

A cancellation voucher containing complete details of the transaction subscribed and sworn to by the person who made the payment shall be filed with the tax collector, and reference thereto entered on the tax roll opposite the property from which the credit was canceled and preserved as a public record."

Bill ordered to print, and re-referred to Committee on Judiciary.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 18, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation;

Also: Senate Bill No. 522—An act to amend section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Senate Bills Nos. 175 and 522 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 438—An act to add four new sections to the Political Code, to be numbered 690a, 690b, 690c, and 690d, relating to the division of land settlement and the State Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Senate Bill No. 438 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 738—An act creating a Tax Research Bureau in the office of the State Board of Equalization, under the joint supervision of the Governor, Director of Finance and members of said board, for investigation of matters relating to revenue, taxation and public finance; prescribing the powers and duties of said officials in relation to such bureau, providing for reports and recommendations relating to revenue, taxation and public finance and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 738 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, add to section 4, as a separate paragraph, the following: "Said bureau is hereby directed to give consideration, and report its findings and recommendations to the Legislature by November 15, 1932, to devising ways and means of relieving the present excessive tax burden borne by homes, farms and all other real estate taxed locally, and, in this behalf, to investigate and report upon proper sources of new revenue and upon the transference to the state of general governmental functions now performed locally."

AMENDMENT NUMBER TWO.

On page 2, line 11, after the word "state", add the following: "not later than December first of each year next preceding the regular session of the Legislature."

Bill ordered to print, and re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Senate Bill No. 683 ordered re-referred to Committee on Finance.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 765—An act to amend chapter 586 of the Statutes of 1913, known as the Water Commission Act, approved June 16, 1913, as amended, by amending section 36f thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36g, relating to modification of court decrees as to quantities of water awarded;

Also: Senate Bill No. 773—An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security

for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts, approved June 13, 1913, as amended, by chapter 758, Statutes of 1929, by amending sections 2, 2b, 2d, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts and the election, appointment, qualifications, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; supervision of county boards of supervisors thereover, the assessment, fixing of rate and levy of taxes therefor; issuance, approval, and sale of bonds; receipt and disposition of moneys; annexation and exclusion of lands; the office of the district; the securing, use and disposition of water for irrigation purposes and the irrigation of lands therein; and obtaining, maintaining, use and construction of irrigation works;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Senate Bills Nos. 760 and 773 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was introduced:

By Senator Young: Senate Concurrent Resolution No. 25—Relating to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee for the purpose of considering and recommending the enactment of effective laws governing the traffic in narcotic drugs and related matters.

Referred to Committee on Public Health and Quarantine.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Allen moved to reconsider the vote whereby Senate Bill No. 286 was passed.

POSTPONEMENT OF MOTION TO RECONSIDER.

Senator Allen then moved to have his motion to reconsider the vote whereby Senate Bill No. 286 was passed, postponed until the next legislative day.

Motion carried, and such was the order.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 317—An act to amend section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," relating to funds.

Bill read third time.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the constitution of the State of California, and it is deemed necessary for the immediate preservation of the public peace, health and safety that this law shall go into immediate effect. The following is a statement

of the facts constituting such urgency: The population of this state and the traffic on the highways thereof are very rapidly increasing and in all probability will in the future continue to so increase. The facilities for transportation in this State are inadequate for the needs of the population thereof and such increased traffic, and it is essential that such facilities be immediately increased and improved by the construction of bridges and other works by bridge and highway districts; and unless such bridges and other works are constructed in the near future the public health and safety will be endangered due to congestion of traffic on existing roads and highways in said State. Moreover, there are at the present time a large number of persons in the State of California who are unemployed and who are without means of livelihood. The construction of bridges and other works by bridge and highway districts of this state will furnish work for a large number of such persons and prevent them from becoming public charges. If the provisions of this act become a law immediately, the sale by such bridge and highway districts of their securities will be furthered and they will thereby be enabled to obtain without delay the necessary funds for the construction of such bridges and works and for the employment of a large number of persons hereinabove mentioned who are now without employment, and said districts will also be materially aided in securing bids from contractors and others for the construction of such bridges and works and for the supplying of materials therefor.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Cassidy, Cleveland, Clock, Denel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Williams, and Young—28.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 317 passed by the following vote:

AYES—Senators Allen, Baker, Cassidy, Cleveland, Crittenden, Denel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, school districts and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect them against such liability, and repealing chapter 328, Statutes of 1923, entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances, approved June 13, 1923," limiting the liability of municipalities, counties, cities and counties, school districts or other public or quasi public corporations for the negligence of their respective officers in certain instances.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rich moved to refer Senate Bill No. 52 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, as amended in Senate, March 13, 1931, strike out "do so", and insert in lieu thereof the following: "remedy the condition".

AMENDMENT NUMBER TWO.

On page 2, line 5, of the printed bill, as amended in Senate, March 13, 1931, after "building," insert "park,".

AMENDMENT NUMBER THREE.

On page 2, line 10, of the printed bill, as amended in Senate, March 13, 1931, after "building," insert "park,".

AMENDMENT NUMBER FOUR.

On page 2, line 35, of the printed bill, as amended in Senate, March 13, 1931, after "building," insert "park,".

AMENDMENT NUMBER FIVE.

On page 2, line 47, of the printed bill, as amended in Senate, March 13, 1931, after "buildings," insert "parks,".

AMENDMENT NUMBER SIX.

In lines 2 and 3 of the title of the printed bill, as amended, before the word "school", insert the word "and", and following the word "districts", strike out the words "and the State of California".

AMENDMENT NUMBER SEVEN.

In line 7 of the title of the printed bill, as amended, strike out the words "the state and".

AMENDMENT NUMBER EIGHT.

On page 1, line 2, of the printed bill, as amended, before the word "school", insert the word "or", and following the word "district", strike out the comma and the words "or the State of California".

AMENDMENT NUMBER NINE.

On page 2, line 24, of the printed bill, as amended, before the word "school", insert the word "or", and following the word "district", strike out the words "or the State of California".

AMENDMENT NUMBER TEN.

On page 2, line 27, of the printed bill, as amended, strike out the words "In the case of the State of".

AMENDMENT NUMBER ELEVEN.

On page 2 of the printed bill, as amended, strike out all of lines 8 and 29.

AMENDMENT NUMBER TWELVE.

On page 2, lines 31 and 32, of the printed bill, as amended, before the word "school", insert the word "or", and following the word "district", strike out the comma and the words "or the State of California".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 37, of the printed bill, as amended, before the word "school", insert the word "or", and following the word "district", strike out the comma and the words "or of the State of California".

AMENDMENT NUMBER FOURTEEN.

On page 2, lines 42 and 43, of the printed bill, as amended, before the word "school", insert the word "or", and following the word "district", strike out the comma and the words "or the State of California".

AMENDMENT NUMBER FIFTEEN.

On page 2, lines 44 and 45, of the printed bill, as amended, before the word "school", insert the word "and", and following the word "districts", strike out the words "and the State of California".

AMENDMENT NUMBER SIXTEEN.

On page 3, lines 1 and 2, of the printed bill, as amended, before the word "school", insert the word "or", and following the word "district", strike out the words "or the State of California".

AMENDMENT NUMBER SEVENTEEN.

On page 3, lines 4 and 5, of the printed bill, as amended, before the word "school", insert the word "or", and following the word "district", strike out the comma and the words "or the State of California".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 52, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Committee.

Report read, and on motion of Senator Rich adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability, and repealing chapter 360, Statutes of 1919, entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to persons or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," relating to the liability in damages of the officers of districts, towns, cities and counties, counties, and of the State of California.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rich moved to refer Senate Bill No. 53 to Senator Swing, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 7, of the printed bill, as amended in Senate, March 13, 1931, strike out "do so", and insert in lieu thereof the following: "remedy the condition".

AMENDMENT NUMBER TWO.

On page 2, line 10, of the printed bill, as amended in Senate, March 13, 1931, after "building," insert "park,".

AMENDMENT NUMBER THREE.

On page 2, line 27, of the printed bill, as amended in Senate, March 13, 1931, after "building," insert "park,".

AMENDMENT NUMBER FOUR.

On page 2, line 49, of the printed bill, as amended in Senate, March 13, 1931, after "building," insert "park,".

AMENDMENT NUMBER FIVE.

On page 3, line 16, of the printed bill, as amended in Senate, March 13, 1931, after "buildings," insert "parks,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 53, with instructions to amend, respectfully reports the same back, amended as per instructions.

SWING, Committee.

Report read, and on motion of Senator Rich adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 423—An act to amend section 5.21 of the School Code, relating to the management and control of funds of State teachers colleges.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 423 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 889—An act to amend section 1394½ of the Political Code, relating to fees and rates of tuition of nonresident students of the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 889 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 169 heretofore set as a special order for three o'clock p.m., the same was taken up for consideration.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Senate Bill No. 169—An act to amend section 78 of the Political Code, relating to senatorial and assembly districts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 169 to Senator Tubbs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 14 to 25, inclusive; also strike out all of pages 2 to 44, inclusive, and insert in lieu thereof the following:

"1. The counties of Modoc, Lassen and Plumas shall constitute the first senatorial district.

2. The counties of Del Norte and Siskiyou shall constitute the second senatorial district.
3. The county of Humboldt shall constitute the third senatorial district.
4. The counties of Mendocino and Lake shall constitute the fourth senatorial district.
5. The counties of Trinity and Shasta shall constitute the fifth senatorial district.
6. The county of Butte shall constitute the sixth senatorial district.
7. The counties of Sierra, Nevada and Placer shall constitute the seventh senatorial district.
8. The counties of Tehama, Glenn and Colusa shall constitute the eighth senatorial district.
9. The counties of El Dorado, Amador and Alpine shall constitute the ninth senatorial district.
10. The counties of Yuba and Sutter shall constitute the tenth senatorial district.
11. The counties of Napa and Yolo shall constitute the eleventh senatorial district.
12. The county of Sonoma shall constitute the twelfth senatorial district.
13. The county of Marin shall constitute the thirteenth senatorial district.
14. The city and county of San Francisco shall constitute the fourteenth senatorial district.
15. The county of Solano shall constitute the fifteenth senatorial district.
16. The county of Alameda shall constitute the sixteenth senatorial district.
17. The county of Contra Costa shall constitute the seventeenth senatorial district.
18. The county of Santa Clara shall constitute the eighteenth senatorial district.
19. The county of Sacramento shall constitute the nineteenth senatorial district.
20. The county of San Joaquin shall constitute the twentieth senatorial district.
21. The county of San Mateo shall constitute the twenty-first senatorial district.
22. The county of Stanislaus shall constitute the twenty-second senatorial district.
23. The county of Santa Cruz shall constitute the twenty-third senatorial district.
24. The counties of Merced and Madera shall constitute the twenty-fourth senatorial district.
25. The counties of Monterey and San Benito shall constitute the twenty-fifth senatorial district.
26. The counties of Tuolumne, Mariposa and Calaveras shall constitute the twenty-sixth senatorial district.
27. The county of Kings shall constitute the twenty-seventh senatorial district.
28. The counties of Mono and Inyo shall constitute the twenty-eighth senatorial district.
29. The county of San Luis Obispo shall constitute the twenty-ninth senatorial district.
30. The county of Fresno shall constitute the thirtieth senatorial district.
31. The county of Santa Barbara shall constitute the thirty-first senatorial district.
32. The county of Tulare shall constitute the thirty-second senatorial district.
33. The county of Ventura shall constitute the thirty-third senatorial district.
34. The county of Kern shall constitute the thirty-fourth senatorial district.
35. The county of Orange shall constitute the thirty-fifth senatorial district.
36. The county of San Bernardino shall constitute the thirty-sixth senatorial district.
37. The county of Riverside shall constitute the thirty-seventh senatorial district.
38. The county of Los Angeles shall constitute the thirty-eighth senatorial district.
39. The county of Imperial shall constitute the thirty-ninth senatorial district.
40. The county of San Diego shall constitute the fortieth senatorial district.

ASSEMBLY DISTRICTS.

1. First. The counties of Del Norte and Humboldt shall constitute the first assembly district.
2. Second. The counties of Siskiyou, Lassen, Modoc, Shasta, Trinity, Plumas, and Sierra, shall constitute the second assembly district.
3. Third. The counties of Mendocino, Colusa, Glenn, Tehama, and Lake, shall constitute the third assembly district.
4. Fourth. The counties of Butte, Sutter, Yuba, and Yolo, shall constitute the fourth assembly district.
5. Fifth. The counties of Mariposa, Nevada, Placer, El Dorado, Amador, Calaveras, Alpine, and Tuolumne, shall constitute the fifth assembly district.
6. Sixth. All that portion of the county of Sacramento included within the city of Sacramento as of January 1, 1921, lying north of the center of K street, and east of the center of Thirty-first street, and south of the center of Y street, and east of the center of Franklin boulevard, and all that portion of said Sacramento county included within the boundaries of "American township," "Brighton township," "Center township" and "Granite township," as said townships existed on the first day of January, 1931, shall constitute the sixth assembly district.
7. Seventh. All that portion of the county of Sacramento not included in the sixth assembly district, as fixed and defined by this act, shall constitute the seventh assembly district.
8. Eighth. The counties of Solano and Napa, shall constitute the eighth assembly district.

waters of the San Francisco bay, thence southeasterly along the shore line of said bay to Market street, Market street to Jones street, and the point of beginning, and the islands of the San Francisco bay within the city and county of San Francisco, shall constitute the thirty-first assembly district.

32. Thirty-second. The county of San Mateo, shall constitute the thirty-second assembly district.

33. Thirty-third. All of that portion of the county of Alameda lying southerly and easterly of a line described as follows:

Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county; thence easterly and northerly along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships; thence easterly, northeasterly and easterly along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence in a general northerly direction along said boundary line to the center of East Fourteenth street; thence northwesterly following along the center line of East Fourteenth street to the center line of Sixty-eighth avenue; thence northeasterly along the center line of Sixty-eighth avenue to the center line of Flora street; thence northwesterly along the center line of Flora street to the center line of Sixty-eighth avenue; thence northeasterly along the center line of Sixty-eighth avenue to the center line of Foothill boulevard; thence easterly along the center line of Foothill boulevard to the center line of Sixty-ninth avenue; thence northerly and northeasterly along the center line of Sixty-ninth avenue to the line known as the Brothers line, being the dividing line between the A. M. Peralta and Ygnacio Peralta portion of the Rancho San Antonio; thence northeasterly along said Brothers line to the line between Eden and Brooklyn townships on the northeasterly boundary line of the city of Oakland; thence following the northeast boundary line of the city of Oakland in a northwesterly direction, to its intersection with the northeasterly boundary line of the county of Alameda, shall constitute the thirty-third assembly district.

34. Thirty-fourth. All of that portion of the county of Alameda described as follows:

Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county; thence easterly and northerly along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships; thence easterly, northeasterly and easterly along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence northerly and easterly along said boundary line to the center of East Fourteenth street; thence northwesterly along the center line of East Fourteenth street to its intersection with the center line of Thirteenth avenue; thence southwesterly along the center line of Thirteenth avenue and its direct extension southwesterly to the northerly boundary line of Alameda township; thence westerly following along the said northerly boundary line of Alameda township to its intersection with the westerly boundary line of Alameda county; thence southeasterly along said county boundary line to the point of beginning, shall constitute the thirty-fourth assembly district.

35. Thirty-fifth. All that portion of the county of Alameda described as follows, to wit:

Beginning at a point where the center line of Thirteenth avenue is intersected by the center line of East Fourteenth street, in the city of Oakland; thence northeasterly along the center line of Thirteenth avenue to the intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard; thence northeasterly along the center line of Park boulevard and along its direct extension northeasterly to an intersection with the center line of Sausal creek; thence northeasterly and southeasterly along the center line of Sausal creek to its intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard to its intersection with the center line of Saroni drive; thence northwesterly along the center line of Saroni drive to its intersection with the center line of the right of way of the San Francisco and Sacramento railway; thence northeasterly along said right of way center line to its intersection with the boundary line between Alameda county and Contra Costa county; thence in a general southwesterly direction along said boundary line to its intersection with the line dividing Eden and Brooklyn townships; thence in a general southeasterly direction along said township dividing line to a point where the same would be intersected by the dividing line between the A. M. Peralta and Ygnacio Peralta portion of the Rancho San Antonio, also known as the Brothers line; thence southwesterly along said rancho and Brothers line to the center line of Sixty-ninth avenue; thence continuing in a southwesterly and southerly direction along the center line of Sixty-ninth avenue to the center line of Foothill boulevard; thence westerly along the center line of Foothill boulevard to the center line of Sixty-eighth avenue; thence southwesterly along the center line of Sixty-eighth avenue to the center line of Flora street; thence southeasterly along the center line of Flora street to the center line of Sixty-eighth avenue; thence southwesterly along the center line of Sixty-eighth avenue to the center line of East Fourteenth street; thence northwesterly along the center line of East Fourteenth street to the center line of Thirteenth avenue, the point of beginning, shall constitute the thirty-fifth assembly district.

36. Thirty-sixth. All that portion of Alameda county described as follows, to wit:

Beginning at a point where the center line of Broadway is intersected by the center line of Twentieth street, in the city of Oakland; thence southeasterly along the center line of Twentieth street and the direct extension southeasterly thereof to the west shore line of Lake Merritt; thence southeasterly, southerly and southeasterly along said shore line of Lake Merritt and its direct production southeasterly to its point of intersection with the westerly line of Lake Shore boulevard; thence in a general northeasterly direction along the westerly line of Lake Shore boulevard to its intersection with the direct production westerly of the center line of Excelsior avenue; thence easterly along said production and along the center line of Excelsior avenue to its intersection with the center line of Hopkins street; thence easterly along the center line of Hopkins street to its intersection with the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue to its intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard to its intersection with the direct production southeasterly of the northerly boundary of the city of Piedmont; thence northwesterly along said production to the northeast corner of the city of Piedmont; thence northwesterly and southwesterly along the northerly boundary line of the city of Piedmont to its intersection with the northerly boundary line of the city of Oakland as it existed prior to December 8, 1909; thence in a general northwesterly direction along said northerly boundary line to the center line of Clifton street; thence northwesterly along the center line of Clifton street to the center line of Broadway; thence southwesterly along the center line of Broadway to its intersection with the center line of College avenue; thence northerly along the center line of College avenue to its intersection with the center line of Clifton street; thence northwesterly along the center line of Clifton street to the center line of Claremont avenue; thence southwesterly along the center line of Claremont avenue to the center line of Fifty-sixth street; thence northwesterly along the center line of Fifty-sixth street to the center line of Telegraph avenue; thence southerly along the center line of Telegraph avenue to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street to the center line of Broadway and the point of beginning, shall constitute the thirty-sixth assembly district.

37. Thirty-seventh. All that portion of the county of Alameda, described as follows, to wit:

Beginning at a point where the center line of Adeline street is intersected by the center line of Twenty-first street in the city of Oakland; thence easterly along the center line of Twenty-first street to the center line of Market street; thence southerly along the center line of Market street to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street and its direct extension southeasterly to the west shore line of Lake Merritt; thence southeasterly, southerly and southeasterly along said shore line of Lake Merritt and its direct production southeasterly to its point of intersection with the westerly line of Lake Shore boulevard; thence in a general northeasterly direction along the westerly line of Lake Shore boulevard to its intersection with the direct production westerly of the center line of Excelsior avenue; thence easterly along said production and along the center line of Excelsior avenue to its intersection with the center line of Hopkins street; thence easterly along the center line of Hopkins street to its intersection with the center line of Thirteenth avenue; thence southwesterly along the center line of Thirteenth avenue and its direct production southwesterly to its intersection with the northerly boundary line of Alameda township; thence westerly along said northerly line of Alameda township to its intersection with the direct extension southerly of the center line of Adeline street; thence northerly along the direct extension of the center line of Adeline street and the center line of Adeline street to its intersection with the center line of Twenty-first street and the point of beginning, shall constitute the thirty-seventh assembly district.

38. Thirty-eighth. All that portion of the county of Alameda described as follows, to wit:

Beginning at a point where the center line of Adeline street is intersected by the center line of Twenty-first street, in the city of Oakland; thence easterly along the center line of Twenty-first street to the center line of Market street; thence southerly along the center line of Market street to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street to the center line of Telegraph avenue; thence northerly along the center line of Telegraph avenue to the center line of Fifty-fifth street; thence northwesterly along the center line of Fifty-fifth street to the center line of Fifty-fifth street to the center line of Shattuck avenue; thence northerly along the center line of Shattuck avenue to its intersection with the center line of Alcatraz avenue; thence westerly along the center line of Alcatraz avenue to its first intersection with the southerly boundary line of the city of Berkeley; thence in a general westerly direction, following the several meanders of the southerly boundary of the city of Berkeley to the northeast corner of the city of Emeryville; thence along the northerly boundary line of the city of Emeryville and its direct production westerly to its intersection with the westerly boundary line of Alameda county; thence southeasterly along the westerly boundary line of Alameda county to its intersection with the line dividing Oakland and Alameda townships; thence easterly along said line dividing Oakland and Alameda townships to a point where

the direct extension of the center line of Adeline street would intersect the same; thence northerly along said direct extension and the center line of Adeline street to the center line of Twenty-first street and the point of beginning, shall constitute the thirty-eighth assembly district.

39. Thirty-ninth. All that portion of Alameda county described as follows, to wit:

Beginning at a point where the east boundary line of the city of Berkeley intersects the northern boundary line of the county of Alameda; thence northwesterly, southwesterly and southeasterly along the northern and western boundary line of the county of Alameda to a point where said boundary line would intersect the direct extension westerly of the center line of Channing way; thence easterly along said extension and along the center line of Channing way to the center line of Prospect street; thence northerly along the center line of Prospect street to the center of Canon road; thence northeasterly along the center line of Canon road to its intersection with the easterly boundary line of the city of Berkeley; thence northerly along the easterly boundary line of the city of Berkeley to the northern boundary line of the county of Alameda, and the point of beginning, shall constitute the thirty-ninth assembly district.

40. Fortieth. All that portion of Alameda county described as follows, to wit:

Beginning at a point where the easterly boundary line of the city of Berkeley intersects the northern boundary line of the county of Alameda; thence in a general southeasterly direction along the northeasterly boundary line of Alameda county to its intersection with the center line of the right of way of the San Francisco and Sacramento railway; thence southwesterly along said right of way center line to its intersection with the center line of Saroni drive; thence southeasterly along the center line of Saroni drive to its intersection with the center line of Park boulevard; thence southwesterly along the center line of Park boulevard to its intersection with the center line of Sausal creek; thence northwesterly and southwesterly along the center line of Sausal creek to its intersection with the direct extension northeasterly of the center line of Park boulevard; thence southwesterly along said extension and along the center line of Park boulevard to its intersection with the direct extension southeasterly of the northerly boundary of the city of Piedmont; thence northwesterly along said extension to the northeast corner of the city of Piedmont; thence northwesterly and southwesterly along the northerly boundary line of the city of Piedmont, to the northern boundary of the city of Oakland as it existed prior to December 8, 1909; thence northwesterly along said northern boundary line to the center line of Clifton street; thence northwesterly along the center line of Clifton street to the center line of Broadway; thence southwesterly along the center line of Broadway to its intersection with the center line of College avenue; thence northerly along the center line of College avenue to its intersection with the center line of Clifton street; thence northwesterly along the center line of Clifton street to its intersection with the center line of Claremont avenue; thence southwesterly along the center line of Claremont avenue to its intersection with the center line of Fifty-sixth street; thence northwesterly along the center line of Fifty-sixth street to its intersection with the center line of Telegraph avenue; thence southerly along the center line of Telegraph avenue to its intersection with the center line of Fifty-fifth street; thence westerly along the center line of Fifty-fifth street to its intersection with the center line of Shattuck avenue; thence northerly along the center line of Shattuck avenue to its intersection with the center line of Alcatraz avenue; thence westerly along the center line of Alcatraz avenue to its first intersection with the southerly boundary line of the city of Berkeley; thence in a general westerly direction, following the several meanders of the southerly boundary of the city of Berkeley to the northeast corner of the city of Emeryville; thence along the northerly boundary line of the city of Emeryville and its direct production westerly to its intersection with the westerly boundary line of the county of Alameda; thence northwesterly along the western boundary line of the county of Alameda to a point where said boundary line would intersect the direct extension westerly of the center line of Channing way; thence easterly along said extension and along the center line of Channing way to the center line of Prospect street; thence northerly along the center line of Prospect street to the center of Canyon road; thence northeasterly along the center line of Canyon road to its intersection with the easterly boundary line of the city of Berkeley; thence northerly along the easterly boundary line of the city of Berkeley to the northern boundary line of the county of Alameda, and the point of beginning, shall constitute the fortieth assembly district.

41. Forty-first. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the city of Torrance, as the same existed January 19, 1931, being also a point in the western boundary of the county of Los Angeles, as the same existed on the above mentioned date; thence easterly along the boundary of aforesaid city of Torrance and following the same in all its various courses to the northeasterly corner of tract No. 2650, as shown on map recorded in book twenty-six, page ninety-eight of maps, records of Los Angeles county; being also a point in the southerly boundary of the city of Redondo Beach, as the same existed on the above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the northeasterly corner of block nineteen, townsite of Redondo Beach, as shown on map

recorded in book eighty-nine, pages one to seventeen, of miscellaneous records of said county, said point being an angle point in the boundary of the above mentioned city of Torrance; thence northeasterly along the boundary of said city of Torrance and following the same in all its various courses to the center line of One Hundred Ninetieth street (from the east); thence easterly along the center line of One Hundred Ninetieth street to a point due north of an angle point in the boundary of the city of Los Angeles, as the same existed on the above mentioned date, at or near the northwesterly corner of lot one of tract No. 4671, as shown on map recorded in book fifty-six, pages thirty and thirty-one of maps, records of said county; thence due south to said last mentioned angle point in the boundary of said last mentioned city; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the township line between township three and four south, San Bernardino meridian; thence easterly along said township line to the southeasterly line of Main street; thence southwesterly and southerly along the southeasterly and easterly lines of Main street to the center line of Dominguez street; thence easterly, northeasterly and southeasterly along the center line of Dominguez street to the northerly line of tract No. 3848, as shown on map recorded in book forty-two, pages sixty-eight and sixty-nine of maps, records of said county; thence easterly along the northerly line of said last mentioned tract and easterly along the northerly line of tract No. 4054, as shown on map recorded in book forty-four, pages thirty-nine, forty and forty-one of maps, records of said county, and the easterly prolongation of the northerly line of said last mentioned tract to the center line of Wilmington avenue; thence southwesterly along the center line of Wilmington avenue to the northerly boundary of the above mentioned city of Los Angeles; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly boundary of the aforesaid county of Los Angeles; thence southwesterly along the boundary of said county of Los Angeles and following the same in all its various courses to the point of beginning.

Also including the islands of Santa Catalina and San Clemente, shall constitute the forty-first assembly district.

42. Forty-second. All that portion of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the northwesterly boundary of the county of Los Angeles as the same existed January 19, 1931, and the northerly line of section eight, township one south, range nineteen west, San Bernardino meridian; thence northeasterly along the boundary of said county and following the same in all its various courses to the township line between townships three and four north, San Bernardino meridian; thence westerly along said township line to the northerly prolongation of the easterly line of section three, township two north, range thirteen west, San Bernardino meridian; thence southerly along said prolongation to the northeasterly corner of said section three; thence southerly along section lines and the southerly prolongation thereof to the northerly boundary of the city of Glendale as the same existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the southerly line of section nine, township one north, range thirteen west, San Bernardino meridian; thence westerly along the southerly line of said last mentioned section to the southwesterly corner of same; thence northerly along section lines to the northerly line of section five, said last mentioned township and range; thence westerly along section lines to the first intersection with the boundary of the city of Burbank as the same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner of said last mentioned city, being also an angle point in the city of Los Angeles as the same existed on above mentioned date; thence southeasterly along the southwesterly boundary of the aforesaid city of Los Angeles to the most northerly corner of Tract No. 7354, as shown on map recorded in book eighty-nine, pages seventy-six to eighty-one of maps, records of Los Angeles county; thence southeasterly along the northeasterly line of said tract to the most easterly corner of lot 311 of said tract; thence due east to the center line of Hollywood way; thence southwesterly along the center line of Hollywood way to a point in the northerly boundary of that certain territory annexed to the city of Los Angeles, May 22, 1915, known as the San Fernando addition; thence easterly along the boundary of said addition and following the same in all its various courses to a point in the southeasterly prolongation of the northeasterly line of that portion of Woodrow Wilson drive extending from Cahuenga boulevard to Holly trail; thence northwesterly along said prolongation and northeasterly line of said Woodrow Wilson drive to a point in the southerly boundary of the aforesaid San Fernando addition to the city of Los Angeles; thence westerly along the boundary of said addition and following the same in all its various courses to an angle point in the boundary of the city of Los Angeles as the same existed January 19, 1931, said point being also the most easterly corner of fractional section thirty-three, township one north, range sixteen west, San Bernardino meridian; thence southwesterly along the boundary of said last mentioned city to the southerly line of fractional section eighteen, township one south, range sixteen west, San Bernardino meridian; thence westerly along section lines to the southeast corner of section thirteen, township one south, range nineteen west, San

Bernardino meridian; thence northerly and westerly along the easterly and northerly lines of said section thirteen, to the southeast corner of section eleven, said last mentioned township and range; thence northerly along the easterly line of said section eleven to the northeast corner thereof; thence westerly along section lines to the point of beginning, shall constitute the forty-second assembly district.

43. Forty-third. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the most westerly corner of the city of Burbank as the same existed on January 19, 1931; thence easterly along the boundary of said city and following the same in all its various courses to the northerly line of section six, township one north, range thirteen west, San Bernardino meridian; thence easterly along section lines to the northeasterly corner of section five said last mentioned township and range; thence southerly along section lines to the southerly line of section nine said last mentioned township and range; thence easterly along the southerly line of said last mentioned section to the first intersection with the westerly boundary of the city of Glendale as the same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of the city of Los Angeles as the same existed on above mentioned date, at or near the north-easterly corner of lot forty-one of "Addition to Rockdale" as shown on map recorded in book twenty-three, page forty of miscellaneous records of said county; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner of aforesaid city of Burbank; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the forty-third assembly district.

44. Forty-fourth. All that part of the county of Los Angeles, within the following described boundaries:

Beginning at the intersection of the center lines of Dallas street and Riverside drive, in the city of Los Angeles, as the same existed January 19, 1931; thence northeasterly along the center line of Dallas street and northeasterly prolongation thereof to the center line of the official bed of the Los Angeles river; thence southeasterly along the center line of said river and following the same in all its various courses to the center line of North Spring street; thence northeasterly along the center line of North Spring street to the center line of North Broadway; thence northeasterly and easterly along the center line of North Broadway to the center line of the Pacific Electric Company's right of way in Daly street; thence southerly along the center line of said right of way to the center line of the Southern Pacific Railroad Company's right of way in Alhambra avenue; thence southwestwesterly along the center line of said last mentioned right of way to the center line of the aforesaid official bed of the Los Angeles river; thence southerly along the center line of said river and following the same in all its various courses to the northerly boundary of the city of Vernon, as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city to the center line of Alameda street; thence northerly along the center line of Alameda street to the center line of Ninth street (from the northwest); thence northwesterly along the center line of Ninth street to the center line of Hill street; thence northeasterly along the center line of Hill street to the center line of Seventh street; thence northwesterly along the center line of Seventh street to the center line of Figueroa street; thence northeasterly along the center line of Figueroa street to the center line of First street; thence southeasterly along the center line of First street to the center line of Flower street; thence northeasterly along the center line of Flower street to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of Bunker Hill avenue; thence northeasterly along the center line of Bunker Hill avenue to the center line of California avenue; thence northwesterly along the center line of California avenue to the center line of Bunker Hill avenue (from the northeast); thence northeasterly along the center line of Bunker Hill avenue to the center line of Sunset boulevard; thence northwesterly along the center line of Sunset boulevard to the center line of Quintero street; thence northeasterly along the center line of Quintero street to the center line of Macbeth street; thence northwesterly along the center line of Macbeth street to the center line of Sutherland street; thence northeasterly along the center line of Sutherland street to the center line of that certain alley lying adjacent to and parallel with the northerly line of block six of Golden West Heights, as shown on map recorded in book thirty-four, page ninety-one, miscellaneous records of Los Angeles county; thence northwesterly along the center line of said alley and the northwesterly prolongation thereof, to the northeasterly prolongation of Portia street; thence northeasterly along said prolongation of Portia street to the center line of Scott avenue; thence northwesterly along the center line of Scott avenue to the center line of Sargent place; thence northeasterly along the center line of Sargent place to the center line of Park drive; thence northeasterly along the center line of Park drive and following the same in all its various courses to the southeasterly prolongation of Baxter street; thence southeasterly along said last mentioned prolongation to the northeasterly prolongation of Boylston street; thence northeasterly along said last mentioned prolongation to the center line of Riverside drive; thence northwesterly

along the center line of Riverside drive to the point of beginning, shall constitute the forty-fourth assembly district.

45. Forty-fifth. All that part of the county of Los Angeles, within the following described boundaries:

Beginning at the intersection of the center lines of Isabel street and Roseview avenue (from the southwest), in the city of Los Angeles, as the same existed on January 19, 1931; thence southeasterly along the center line of Isabel street and following the same in all its various courses to the center line of Amabel street; thence southeasterly along the center line of Amabel street to the center line of Dayton avenue; thence northeasterly along the center line of Dayton avenue to the center line of Avenue 37 (from the southeast); thence southeasterly along the center line of Avenue 37 to the center line of Arroyo Seco avenue; thence northeasterly along the center line of Arroyo Seco avenue to the center line of Marmon way; thence northerly along the center line of Marmon way and following the same in all its various courses to the northwesterly prolongation of the center line of Avenue 44; thence southeasterly along said prolongation and center line of Avenue 44 to the center line of Pasadena avenue; thence northeasterly along the center line of Pasadena avenue to the center line of Avenue 44 (from the southeast); thence southeasterly along the center line of Avenue 44 to the center line of Carlotia boulevard; thence northeasterly along the center line of Carlotia boulevard to the north patent boundary of the city of Los Angeles; thence easterly along said North patent boundary and the easterly prolongation thereof to the range line between ranges 12 and 13 west, San Bernardino meridian; thence northerly along said range to the center line of Hawley avenue; thence northwesterly along the center line of Hawley avenue to the center line of Pullman street; thence southeasterly along the center line of Pullman street to the center line of Harriman avenue; thence northeasterly along the center line of Harriman avenue to the southerly boundary of the city of South Pasadena, as the same existed on above mentioned date, being also the northerly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city of Los Angeles and following the same in all its various courses to the center line of Indiana street, as shown on map of Boston Heights, recorded in book nineteen, page thirty-eight of miscellaneous records of Los Angeles county; thence northerly along the center line of Indiana street and northerly prolongation thereof to the center line of Alhambra avenue as shown on map of Tract No. 679, recorded in book seventeen, page twenty-four of maps, records of said county; thence northwesterly and southwesterly along the center line of Alhambra avenue to the center line of Mission road; thence southwesterly along the center line of Mission road to the center line of the Pacific Electric Railway Company's right of way in Daly street; thence northerly along the center line of said right of way to the center line of North Broadway; thence westerly and southwesterly along the center line of North Broadway to the center line of North Spring street; thence southwesterly along the center line of North Spring street to the center line of the official bed of the Los Angeles river; thence northwesterly along the center line of said river and following the same in all its various courses to the southwesterly prolongation of the center line of Roseview avenue; thence northeasterly along said prolongation and center line of Roseview avenue to the center line of Cypress avenue; thence northwesterly along the center line of Cypress avenue to the center line of Roseview avenue (from the northeast); thence northeasterly along the center line of Roseview avenue to the point of beginning, shall constitute the forty-fifth assembly district.

46. Forty-sixth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the city of South Pasadena, as the same existed on January 19, 1931, said corner being at or near the northeasterly corner of lot two of Tract No. 3119, as shown on map recorded in book thirty-three, page ninety-one of maps, records of Los Angeles county, being also a point in the boundary of the city of Pasadena, as the same existed on the above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly corner of the Lamanda Park No. 2 annex to the city of Pasadena, said southwesterly corner being also an angle point in the boundary of the city of San Marino, as the same existed on the above mentioned date; thence easterly along the boundary of the last mentioned city and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way in Huntington drive; thence northeasterly along the center line of said right of way to the westerly boundary of the city of Arcadia, as the same existed on above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Oak avenue; thence southerly and southeasterly along the center line of Oak avenue to the center line of Garibaldi avenue; thence southwesterly along the center line of Garibaldi avenue to the center line of Encinita avenue; thence southerly along the center line of Encinita avenue and the southerly prolongation thereof to the center line of the Southern Pacific Railroad Company's right of way (main line to Yuma); thence northwesterly along the center line of said last mentioned right

of way to the range line between ranges eleven and twelve west, San Bernardino meridian; thence southerly along said range line to the northerly boundary of the city of Montebello, as the same existed on the above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the southerly boundary of the city of Monterey Park, as the same existed on the above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of the city of Alhambra, as the same existed on the above mentioned date, said angle point being at or near the southeasterly corner of lot 319 of Ramona Acres plat No. 2, sheet No. 3, as shown on map recorded in book seventeen, pages twenty-six and twenty-seven of maps, records of said county; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the aforesaid city of South Pasadena; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the forty-sixth assembly district.

47. Forty-seventh. All that portion of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of Allen avenue, as shown on map of Tract No. 1200, recorded in book twenty, page nine of maps, records of Los Angeles county, and the northerly boundary of the city of Pasadena as same existed February 2, 1931; thence southerly along the center line of Allen avenue to that portion of the southerly boundary of said city, lying between Monte Vista street and Villa street; thence westerly along the boundary of said city and following the same in all its various courses to the center line of Allen avenue, as shown on map of Avondale tract, recorded in book eight, page one hundred seventeen of maps, records of said county; thence southerly along the center line of Allen avenue to that portion of the southerly boundary of said city, lying between Elm street and Blanche street; thence westerly along the boundary of said city and following the same in all its various courses to the point of beginning, shall constitute the forty-seventh assembly district.

48. Forty-eighth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the northerly prolongation of the easterly line of section three, township two north, range thirteen west, San Bernardino meridian, with the township line between townships three and four north, San Bernardino meridian; thence easterly along said township line to the northwesterly corner of section five, township three north, range eleven west, San Bernardino meridian; thence southerly along section lines to the southwesterly corner of section thirty-two, township two north, range eleven west, San Bernardino meridian; thence easterly along the township line between townships one and two north, to the north and south quarter section line in section three, township one north, range eleven west, San Bernardino meridian; thence southerly along north and south quarter section lines to the southwesterly corner of the northeast quarter of section ten, said last mentioned township and range, said last mentioned corner being also the northwesterly corner of the city of Monrovia, as the same existed on February 2, 1931; thence southerly along the westerly boundary of said city to the northeasterly corner of the city of Arcadia, as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way in Huntington drive; thence southwesterly along said last mentioned center line to the northeasterly boundary of the city of San Marino, as the same existed on the above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to that portion of the easterly boundary of the city of Pasadena, as the same existed on the above mentioned date, lying between Greenwood avenue and Allen avenue; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of that portion of Allen avenue lying between Elm street and Blanche street; thence northerly along the center line of Allen avenue to that portion of the northerly boundary of said last mentioned city lying between Locust street and Corson street; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of that portion of Allen avenue lying between Villa street and Monte Vista street; thence northerly along the center line of Allen avenue to the northerly boundary of said last mentioned city; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the boundary of the city of Glendale as the same existed on the above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the southerly prolongation of the easterly line of section three, township two north, range thirteen west, San Bernardino meridian; thence northerly along said prolongation to the southeasterly corner of said last mentioned section; thence north-

erly along section lines and the northerly prolongation thereof to the point of beginning, shall constitute the forty-eighth assembly district.

49. Forty-ninth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of section five, township three north, range eleven west, San Bernardino meridian; thence easterly along the township line between townships three and four north, San Bernardino meridian, to the north-easterly boundary of the county of Los Angeles, as the same existed January 19, 1931; thence southeasterly along the boundary of said county and following the same in all its various courses to the southeasterly corner of township two south, range ten west, San Bernardino meridian; thence northerly along the range line between ranges nine and ten west to the township line between townships one and two south, San Bernardino meridian; thence westerly along said last mentioned township line to the center line of Pass and Covina road; thence northwesterly along section eight, township one south, range ten west, San Bernardino meridian; thence northwesterly along the center line of Covina avenue and following the same in all its various courses to the southerly boundary of the city of West Covina as the same existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the southeasterly corner of section eight, township one south, range ten west, San Bernardino meridian; thence northerly along section lines to the township line between townships one north and one south; thence westerly along said last mentioned township line to the center line of the old San Gabriel river; thence southwesterly along the center line of said river and following the same in all its various courses to the southwesterly line of the Rancho Azusa as shown on map recorded in book two, page five hundred sixty-one of patents, records of Los Angeles county; thence northwesterly along the boundary of said rancho to the southeasterly boundary of the city of Arcadia as the same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses, to the westerly boundary of the city of Monrovia, as the same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the northwesterly corner thereof, said last mentioned northwesterly corner being also the center of section ten, township one north, range eleven west, San Bernardino meridian; thence northerly along quarter section lines to the township line between townships one and two north, San Bernardino meridian; thence westerly along said last mentioned township line to the southwesterly corner of section thirty-two, township two north, range eleven west, San Bernardino meridian; thence northerly along section line to the point of beginning, shall constitute the forty-ninth assembly district.

50. Fiftieth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the southerly boundary of the city of Arcadia as the same existed on January 19, 1931, and the center line of Oak avenue; thence easterly along the boundary of said city and following the same in all its various courses to the southwesterly line of the Rancho Azusa, as shown on map recorded in book two, page five hundred sixty-one of patents, records of Los Angeles county; thence southeasterly along the boundary line of said rancho to the center line of the old San Gabriel river; thence northeasterly along the center line of said river and following the same in all its various courses to the township line between townships one north and one south, San Bernardino meridian; thence easterly along said township line to the northeasterly corner of section five, township one south, range ten west, San Bernardino meridian; thence southerly along section lines to the first intersection with the northerly boundary of the city of West Covina, as the same existed on the above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the center line of Covina avenue; thence southerly along the center line of Covina avenue and following the same in all its various courses to the center line of Pass and Covina road; thence southeasterly along the center line of Pass and Covina road to the township line between townships one and two south, San Bernardino meridian; thence easterly along said last mentioned township line to a point in the range line between ranges nine and ten west, San Bernardino meridian; thence southerly along range line to the southerly boundary of the county of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said county and following the same in all its various courses to the southeasterly corner of the southwesterly quarter of section thirteen, township three south, range eleven west, San Bernardino meridian; thence westerly along section lines to the southwesterly corner of section fourteen said last mentioned township and range; thence northerly along section lines to the northwesterly corner of the above mentioned section fourteen; thence westerly along section lines to the northwesterly corner of section sixteen said last mentioned township and range; thence northerly along section line to the northeasterly corner of section eight said last mentioned township and range; thence westerly along the northerly line of said section eight to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (main line to San Diego); thence northerly along the center line of said right of way to the center line of Anaheim Telegraph road; thence westerly and northwesterly along the center line of Anaheim Telegraph road

to a point due south of the most southerly corner of the city of Montebello as same existed on above mentioned date; thence due north to said last mentioned southerly corner of the city of Montebello; thence northeasterly along the southeasterly boundary of said city and following the same in all its various courses to the range line between range eleven and range twelve west, San Bernardino meridian, said point being on the northerly boundary of the above mentioned city of Montebello; thence northerly along range line to the center line of the Southern Pacific Railroad Company's right of way (main line to Yuma); thence southeasterly along the center line of said right of way to the southerly prolongation of the center line of Encinita avenue; thence northerly along said southerly prolongation and center line of Encinita avenue to the center line of Garibaldi avenue; thence northeasterly along the center line of Garibaldi avenue to the center line of Oak avenue; thence northwesterly and northerly along the center line of Oak avenue to the point of beginning, shall constitute the fiftieth assembly district.

51. Fifty-first. All that portion of the county of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the city of Los Angeles, as the same existed on January 19, 1931, said angle point being at or near the intersection of Indiana street and Medford street; thence easterly along the boundary of said city and following the same in all its various courses to the southwesterly corner of the city of Alhambra, as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly corner of lot 319, as shown on map of Ramona Acres Plat No. 2, sheet No. 3, recorded in book seventeen, pages twenty-six to twenty-seven of maps, records of Los Angeles county, said corner being also an angle point in the boundary of the city of Monterey Park, as the same existed on the above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the northerly boundary of the city of Montebello, as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly line of Church road; thence northeasterly along said southeasterly line and the northeasterly prolongation thereof to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way; thence northwesterly along the center line of said right of way to its first intersection with the southeasterly boundary of the city of Vernon, as the same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the southerly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the fifty-first assembly district.

52. Fifty-second. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of the Southern Pacific Railroad Company's right of way in Alhambra avenue and the center line of the official bed of the Los Angeles river, in the city of Los Angeles, as the same existed on January 19, 1931; thence northeasterly along the center line of said right of way to the center line of the Pacific Electric Railway Company's right of way in Daly street; thence southerly along the center line of said last mentioned right of way to the center line of Mission road; thence northeasterly along the center line of Mission road to the center line of Alhambra avenue (from the northeast); thence northeasterly and southeasterly along the center line of Alhambra avenue to the northerly prolongation of the center line of Indiana street; thence southerly along said northerly prolongation and center line of Indiana street, as shown on map of Boston Heights, recorded in book nineteen, page thirty-eight of miscellaneous records of Los Angeles county to the southerly boundary of the city of Los Angeles, as the same existed on above mentioned date (at or near the intersection of Medford and Indiana streets); thence easterly, southerly and westerly along the boundary of said city and following the same in all its various courses to the center line of the aforesaid official bed of the Los Angeles river; thence northwesterly along the center line of said river and following the same in all its various courses to the point of beginning, shall constitute the fifty-second assembly district.

53. Fifty-third. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the southwesterly boundary of the county of Los Angeles as same existed January 19, 1931, with the southerly boundary of the city of Los Angeles as same existed on above mentioned date; said southerly boundary being also the northerly boundary of the city of El Segundo as same existed on above mentioned date; thence easterly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of that portion of Arizona avenue lying southerly of Centinela avenue; thence northerly along the center line of Arizona avenue to the first intersection with the northeasterly boundary of the city of Los Angeles as the same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Victoria avenue; thence southerly

along the center line of Victoria avenue to the center line of Fifty-second street; thence easterly along the center line of Fifty-second street to the center line of the Los Angeles Railway Company's right of way in Crenshaw boulevard; thence southerly along the center line of said right of way to the center line of Slauson avenue; thence easterly along the center line of Slauson avenue to the center line of Van Ness avenue (from the south); thence southerly along the center line of Van Ness avenue to the first angle point in the boundary of the city of Inglewood, as the same existed on the above mentioned date, said angle point being the north-easterly corner of block seventeen, Tract No. 1924, as shown on map recorded in book twenty-three, page forty-seven of maps, records of said county; thence southerly along the boundary of said city of Inglewood to the center of section two, township three south, range fourteen west, San Bernardino meridian; thence southerly along north and south quarter section lines and the center line of Arlington street to the center line of One Hundred Twenty-eighth street; thence westerly along the center line of One Hundred Twenty-eighth street to the easterly boundary of the city of Hawthorne as same existed on the above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Prairie avenue; thence southerly along the center line of Prairie avenue to the northwesterly boundary of the city of Torrance as the same existed on the above mentioned date; thence southwestwesterly along the boundary of said last mentioned city and following the same in all its various courses to a point in the boundary of the city of Redondo Beach as said boundary existed on the above mentioned date, said point being the northeasterly corner of block nineteen, as shown on map of townsite of Redondo Beach recorded in book eighty-nine, pages one to seventeen, inclusive, of miscellaneous records of said county; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of above mentioned city of Torrance, said angle point being the northeasterly corner of Tract No. 2650, as shown on map recorded in book twenty-six, page ninety-eight of maps, records of said county; thence southerly along the boundary of said city of Torrance and following the same in all its various courses to the westerly boundary of aforesaid county of Los Angeles; thence northerly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the fifty-third assembly district.

54. Fifty-fourth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the most southerly corner of the city of Glendale, as the same existed January 19, 1931, being also an angle point in the boundary of the city of Los Angeles, as the same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Harriman avenue, as shown on map of Pasadena Villa tract, recorded in book three, pages five to eight of maps, records of Los Angeles county; thence southwestwesterly along the center line of Harriman avenue to the center line of Pullman street; thence northwestwesterly along the center line of Pullman street to the center line of Hawley avenue; thence southwestwesterly along the center line of Hawley avenue to the range line between ranges twelve and thirteen west, San Bernardino meridian; thence southerly along said range line to the easterly prolongation of the North Patent boundary of the city of Los Angeles; thence westerly along said easterly prolongation and along said North Patent boundary to the center line of Carlotia boulevard; thence southwestwesterly along the center line of Carlotia boulevard to the center line of Avenue 44; thence northwestwesterly along the center line of Avenue 44 to the center line of Pasadena avenue; thence southwestwesterly along the center line of Pasadena avenue to the center line of Avenue 44 (from the northwest); thence northwestwesterly along the center line of Avenue 44 and the northwestwesterly prolongation thereof to the center line of Marmion way; thence southwestwesterly along the center line of Marmion way and following the same in all its various courses to the center line of Arroyo Seco avenue; thence southwestwesterly along the center line of Arroyo Seco avenue to the center line of Avenue 37; thence northwestwesterly along the center line of Avenue 37 to the center line of Dayton avenue (from the southwest); thence southwestwesterly along the center line of Dayton avenue to the center line of Amabel street; thence northwestwesterly along the center line of Amabel street to the center line of Isabel street; thence southwestwesterly along the center line of Isabel street and following the same in all its various courses to the center line of Roseview avenue (from the southwest); thence southwestwesterly along the center line of Roseview avenue to the center line of Cypress avenue; thence southeasterly along the center line of Cypress avenue to the center line of Roseview avenue (from the southwest); thence southwestwesterly along the center line of Roseview avenue and the southwestwesterly prolongation thereof to the southwestwesterly line of the Southern Pacific Railroad Company's right of way (Valley line); thence northwestwesterly along the southwestwesterly line of said last mentioned right of way to the point of beginning, shall constitute the fifty-fourth assembly district.

55. Fifty-fifth. All that part of the county of Los Angeles, within the following described boundaries:

Beginning at the intersection of the center lines of Seventh street and Westmoreland avenue, in the city of Los Angeles, as the same existed on January 19, 1931; thence easterly and southeasterly along the center line of Seventh street to the center line of Hill street; thence southwesterly along the center line of Hill street to the center line of Ninth street; thence southeasterly along the center line of Ninth street to the center line of Maple avenue; thence southwesterly along the center line of Maple avenue to the center line of Jefferson boulevard; thence northwesterly along the center line of Jefferson boulevard to the center line of Main street; thence southwesterly along the center line of Main street to the center line of Thirty-fifth street; thence northwesterly along the center line of Thirty-fifth street to the center line of Hill street; thence northeasterly along the center line of Hill street to the center line of the Southern Pacific Railroad Company's right of way, Santa Monica branch (commonly known as the air line); thence westerly along the center line of said right of way to the center line of Figueroa street; thence northeasterly along the center line of Figueroa street to the center line of Jefferson boulevard; thence northwesterly along the center line of Jefferson boulevard to the center line of Hoover street (from the northeast); thence northeasterly and northerly along the center line of Hoover street to the center line of Washington street (from the northwest); thence northwesterly and westerly along the center line of Washington street to the center line of Orchard avenue; thence northerly along the center line of Orchard avenue to the center line of Pico street; thence westerly along the center line of Pico street to the center line of that certain private driveway lying westerly of and adjacent to lot thirty-two of Clark Bryan's Westmoreland place, as shown on map recorded in book six, pages one hundred ten and one hundred eleven of maps, records of Los Angeles county; thence northerly along the center line of said private driveway to the center line of Tenth street; thence easterly along the center line of Tenth street to the center line of Westmoreland avenue; thence northerly along the center line of Westmoreland avenue to the point of beginning, shall constitute the fifty-fifth assembly district.

56. Fifty-sixth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Beverly boulevard and Western avenue, in the city of Los Angeles, as the same existed January 19, 1931; thence northerly along the center line of Western avenue to the center line of Los Feliz boulevard; thence northeasterly along the center line of Los Feliz boulevard to the southwesterly prolongation of the center line of Griffith Park drive; thence northeasterly along said prolongation and center line of Griffith Park drive to the southeasterly boundary of Griffith Park, as shown on county surveyor's map number 2325 on file in the office of the surveyor of Los Angeles county; thence southwesterly along the boundary of Griffith Park and following the same in all its various courses to the first intersection with the northerly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence northeasterly along the boundary of said city and following the same in all its various courses to an angle point in said boundary on the southwesterly line of the Southern Pacific Railroad Company's right of way (valley line), said angle point being the most southerly corner of the city of Glendale, as the same existed on above mentioned date; thence southeasterly along the southwesterly line of said right of way to the southwesterly prolongation of the center line of that portion of Roseview avenue lying between San Fernando road and Cypress avenue; thence southwesterly along said prolongation to the center line of the official bed of the Los Angeles river; thence northwesterly along the center line of said river and following the same in all its various courses to the northeasterly prolongation of the center line of Dallas street; thence southwesterly along said prolongation and center line of Dallas street to the center line of Riverside drive; thence southeasterly along the center line of Riverside drive to the northeasterly prolongation of the center line of Boylston street; thence southwesterly along said last mentioned prolongation to the southeasterly prolongation of the center line of Baxter street; thence northwesterly along said last mentioned prolongation to the center line of Park drive; thence southwesterly along the center line of Park drive and following the same in all its various courses to the center line of Sargent place; thence southwesterly along the center line of Sargent place to the center line of Scott avenue; thence southeasterly along the center line of Scott avenue to the northeasterly prolongation of the center line of Portia street; thence southwesterly along said last mentioned prolongation to the northwesterly prolongation of the center of that certain alley lying adjacent and parallel to the northeasterly line of block six of Golden West heights, as shown on map recorded in book thirty-four, page ninety-one of miscellaneous records of Los Angeles county; thence southeasterly along said prolongation and center line of said alley to the center line of Sutherland street; thence southwesterly along the center line of Sutherland street to the center line of Macbeth street; thence southeasterly along the center line of Macbeth street to the center line of Quintero street; thence southwesterly along the center line of Quintero street to the center line of Sunset boulevard; thence northwesterly along the center line of Sunset boulevard and following the same in all its various courses to the center line of Santa Monica boulevard; thence southwesterly along the center line of Santa Monica boulevard to the center line of Hoover street; thence southerly along the center line of Hoover street

to the center line of Oakwood avenue; thence westerly along the center line of Oakwood avenue to the center line of Vermont avenue; thence southerly along the center line of Vermont avenue to the center line of Beverly boulevard; thence westerly along the center line of Beverly boulevard to the point of beginning, shall constitute the fifty-sixth assembly district.

57. Fifty-seventh. All that part of the county of Los Angeles within the following described boundaries:

Beginning at an angle point in the boundary of the city of Los Angeles, as the same existed January 19, 1931, said angle point being also the most southerly corner of the city of Burbank, as the same existed on above mentioned date; thence northeasterly along the boundary of said city of Los Angeles and following the same in all its various courses to the first intersection with the northwesterly boundary of Griffith Park, as shown on county surveyor's map number 2325 on file in the office of the surveyor of Los Angeles county; thence southwesterly along the boundary of said Griffith Park and following the same in all its various courses to the center line of Griffith Park drive; thence southwesterly along the center line of Griffith Park drive and the southwesterly prolongation thereof to the center line of Los Feliz boulevard; thence southwesterly along the center line of Los Feliz boulevard to the center line of Western avenue; thence southerly along the center line of Western avenue to the center line of Beverly boulevard; thence westerly along the center line of Beverly boulevard to the easterly boundary of the Rosewood addition to the city of Los Angeles, said easterly boundary lying between Gardner and Vista streets; thence southerly along the boundary of said Rosewood addition and following the same in all its various courses to the center line of Beverly boulevard; thence westerly along the center line of Beverly boulevard to the center line of Fairfax avenue; thence northerly along the center line of Fairfax avenue to the southerly boundary of the city of Los Angeles, as the same existed on January 19, 1931, on the northerly line of Fountain avenue; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Hayworth avenue; thence northerly along the center line of Hayworth avenue to the center line of Sunset boulevard; thence easterly along the center line of Sunset boulevard to the center line of Hayworth avenue, from the north; thence northerly along the center line of Hayworth avenue to the center line of Selma avenue; thence westerly along the center line of Selma avenue to the westerly boundary of the Hollywood consolidation to the city of Los Angeles; thence northerly along the boundary of said consolidation and following the same in all its various courses to the center line of El Cerrito place; thence southeasterly along the center line of El Cerrito place to the center line of Hillside avenue, from the east; thence easterly along the center line of Hillside avenue to the center line of Outpost drive; thence southeasterly along the center line of Outpost drive to the center line of Franklin avenue; thence easterly along the center line of Franklin avenue to the center line of Highland avenue, from the northeast; thence northeasterly and northerly along the center line of Highland avenue and the northerly prolongation thereof to the center line of Cahuenga boulevard; thence northwesterly along the center line of Cahuenga boulevard to the southeasterly prolongation of the northeasterly line of that portion of Woodrow Wilson drive extending from Cahuenga boulevard to Holly trail; thence southeasterly along said last mentioned prolongation to the northeasterly boundary of the San Fernando addition to the city of Los Angeles; thence northwesterly along the boundary of said addition and following the same in all its various courses to the center line of Hollywood way; thence northeasterly along the center line of Hollywood way to a point due east of the most easterly corner of lot three hundred eleven of Tract No. 7354, as shown on map recorded in book eighty-nine, pages seventy-six to eighty-one, inclusive, of maps, records of Los Angeles county; thence due west to the most easterly corner of said lot three hundred eleven; thence northwesterly along the northeasterly line of said Tract No. 7354 to the most northerly corner of said Tract No. 7354, being also an angle point in the boundary of the city of Los Angeles, as the same existed on January 19, 1931; thence northeasterly along the boundary of said last mentioned city to the point of beginning, shall constitute the fifty-seventh assembly district.

58. Fifty-eighth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of Beverly boulevard and Rossmore avenue, from the south, in the city of Los Angeles, as same existed January 19, 1931; thence easterly along the center line of Beverly boulevard to the center line of Vermont avenue; thence northerly along the center line of Vermont avenue to the center line of Oakwood avenue; thence easterly along the center line of Oakwood avenue to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of Hoover street; thence southwesterly and southerly along the center line of Hoover street to the center line of Beverly boulevard; thence southeasterly along the center line of Beverly boulevard to the center line of Occidental boulevard; thence southwesterly along the center line of Occidental boulevard to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Sixth street; thence southeasterly along the center line of Sixth street to the center line of

La Fayette Park place; thence southwesterly along the center line of La Fayette Park place to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Seventh street; thence westerly along the center line of Seventh street to the center line of Westmoreland avenue; thence southerly along the center line of Westmoreland avenue to the center line of Tenth street; thence westerly along the center line of Tenth street to the northerly prolongation of the center line of that certain private driveway lying westerly of and adjacent to the westerly line of lot thirty-two of Clark Bryan's Westmoreland place, as shown on map recorded in book six, pages one hundred ten and one hundred eleven of maps, records of Los Angeles county; thence southerly along the center line of said private driveway to the center line of Pico street; thence easterly along the center line of Pico street to the center line of Orchard avenue; thence southerly along the center line of Orchard avenue to the center line of Washington street; thence westerly along the center line of Washington street to the center line of Victoria avenue, from the northeast; thence northeasterly along the center line of Victoria avenue to the center line of Pico boulevard; thence westerly along the center line of Pico boulevard to the center line of Rimpau boulevard; thence northeasterly along the center line of Rimpau boulevard to the center line of Wilshire boulevard; thence easterly along the center line of Wilshire boulevard to the center line of Rimpau boulevard, from the north; thence northerly along the center line of Rimpau boulevard to the center line of Third street; thence easterly along the center line of Third street to the center line of Rossmore avenue; thence northerly along the center line of Rossmore avenue to the point of beginning, shall constitute the fifty-eighth assembly district.

59. Fifty-ninth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the northeasterly boundary of the Rancho San Vicente y Santa Monica, as shown on map recorded in book three, page thirty of patents, records of Los Angeles county, with the southerly boundary of the San Fernando addition to the city of Los Angeles; thence easterly along the boundary of said addition to the northwesterly prolongation of the northeasterly line of that portion of Woodrow Wilson drive extending from Cahuenga boulevard to Holly trail; thence southeasterly along said northwesterly prolongation and northeasterly line of said portion of Woodrow Wilson drive and the southeasterly prolongation thereof to the center line of Cahuenga boulevard; thence southeasterly along the center line of Cahuenga boulevard to the northerly prolongation of the center line of Highland avenue; thence southerly along said northerly prolongation and center line of Highland avenue to the center line of Franklin avenue from the west; thence westerly along the center line of Franklin avenue to the center line of Outpost drive; thence northerly along the center line of Outpost drive to the center line of Hillside avenue; thence westerly along the center line of Hillside avenue to the center line of El Cerrito place; thence northwesterly along the center line of El Cerrito place to the northwesterly boundary of the Hollywood consolidation to the city of Los Angeles; thence southwesterly along the boundary of said last mentioned consolidation and following the same in all its various courses to the center line of Selma avenue; thence easterly along the center line of Selma avenue to the center line of Hayworth avenue; thence southerly along the center line of Hayworth avenue to the center line of Sunset boulevard; thence westerly along the center line of Sunset boulevard to the center line of Hayworth avenue, from the south; thence southerly along the center line of Hayworth avenue to the first intersection with the southerly boundary of the city of Los Angeles, as same existed January 19, 1931, said boundary lying between Sunset boulevard and Fountain avenue; thence easterly, southerly and easterly along the boundary of said last mentioned city to the center line of Fairfax avenue; thence southerly along the center line of Fairfax avenue to the center line of Beverly boulevard; thence easterly along the center line of Beverly boulevard to the westerly boundary of the Rosewood addition to the city of Los Angeles; thence southerly, easterly and northerly along the boundary of said last mentioned addition to the center line of Beverly boulevard; thence easterly along the center line of Beverly boulevard to the center line of Rossmore avenue; thence southerly along the center line of Rossmore avenue to the center line of Third street; thence westerly along the center line of Third street to the center line of Rimpau boulevard; thence southerly along the center line of Rimpau boulevard to the center line of Wilshire boulevard; thence westerly along the center line of Wilshire boulevard to the center line of Rimpau boulevard, from the southwest; thence southwesterly along the center line of Rimpau boulevard to the center line of Pico boulevard; thence westerly along the center line of Pico boulevard to the center line of Heath avenue; thence northwesterly along the center line of Heath avenue to the westerly prolongation of the southerly boundary of the city of Beverly Hills, as same existed on above mentioned date, said southerly boundary being the southerly line of lot four, Tract No. 3613, as shown on map recorded in book thirty-eight, pages sixty-five and sixty-six of maps, records of said county; thence easterly along said westerly prolongation to the first angle point in aforesaid boundary; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the southerly line of section eleven, township one south, range fifteen

west, San Bernardino meridian; thence westerly along section lines to the north-easterly boundary of the aforesaid Rancho San Vicente y Santa Monica; thence northwesterly along the northeasterly boundary of said rancho to the point of beginning, shall constitute the fifty-ninth assembly district.

60. Sixtieth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the northwesterly boundary of the county of Los Angeles, as the same existed January 19, 1931, and the northerly line of section eight, township one south, range nineteen west, San Bernardino meridian; thence easterly along section lines to the northeasterly corner of section eleven, said last mentioned township and range; thence southerly along the easterly line of said last mentioned section to the northwesterly corner of section thirteen, said last mentioned township and range; thence easterly and southerly along the northerly and easterly lines of said section thirteen to the southeasterly corner thereof; thence easterly along section lines to the northwesterly line of the Rancho San Vicente y Santa Monica, as shown on map recorded in book three, page thirty of patents, records of Los Angeles county; thence northeasterly along said last mentioned rancho line to the southerly boundary of the San Fernando addition to the city of Los Angeles; thence easterly along the southerly boundary of said addition to the northeasterly boundary of the above mentioned rancho; thence southeasterly along the north-easterly boundary of said rancho to the southerly line of fractional section ten, township one south, range fifteen west, San Bernardino meridian; thence easterly along section lines to the first angle point in the boundary of the city of Beverly Hills, as the same existed on above mentioned date; thence southerly along the boundary of said city and following the same in all its various courses to the southwesterly corner of aforesaid city of Beverly Hills, said corner being also the southwesterly corner of lot four, Tract No. 3613, as shown on map recorded in book thirty-eight, pages sixty-five and sixty-six of maps, records of said county; thence westerly along the westerly prolongation of the southerly boundary of said last mentioned city to the center line of Heath avenue; thence southeasterly along the center line of Heath avenue to the center line of Pico boulevard; thence southwesterly along the center line of Pico boulevard to the northeasterly boundary of the city of Santa Monica, as the same existed on the above mentioned date; thence southeasterly and southwesterly along said last mentioned boundary to the most southerly corner of said last mentioned city, being also a point in the southwesterly boundary of aforesaid county of Los Angeles; thence northwesterly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the sixtieth assembly district.

61. Sixty-first. All that part of the county of Los Angeles, within the following described boundaries:

Beginning at the most southerly corner of the city of Santa Monica, as the same existed January 19, 1931, with the southwesterly boundary of the county of Los Angeles; thence northeasterly and northwesterly along the boundary of said city of Santa Monica to the center line of Pico boulevard; thence northeasterly and easterly along the center line of Pico boulevard to the center line of Victoria avenue; thence southwesterly along the center line of Victoria avenue to the center line of Washington street; thence easterly along the center line of Washington street to the center line of Bronson avenue; thence southwesterly along the center line of Bronson avenue to the center line of Adams street; thence westerly along the center line of Adams street to the center line of Crenshaw boulevard; thence southerly along the center line of Crenshaw boulevard to the southerly boundary of the Palms addition to the city of Los Angeles; thence westerly along said last mentioned boundary to the westerly boundary of the Rancho Cienega O'Usio de La Tijera, as shown on map, recorded in book one, page two hundred fifty-nine of patents, records of Los Angeles county; thence southerly along the boundary of said last mentioned rancho and following the same in all its various courses to the north and south quarter section line in fractional section seventeen, township two south, range fourteen west, San Bernardino meridian; thence southerly along said last mentioned quarter section line to the east and west quarter section line in said last mentioned section; thence easterly along said last mentioned quarter section line and the easterly prolongation thereof to the westerly line of Tract No. 6177, as shown on map recorded in book one hundred forty-four, pages seventy-seven to eighty-one of maps, records of said county; thence northerly along the westerly line of said last mentioned tract to the center line of Chanson drive; thence easterly and southeasterly along the center line of Chanson drive to the center line of Mullen way; thence northeasterly along the center line of Mullen way to the center line of Floresta way; thence easterly along the center line of Floresta way to the center line of Mullen avenue; thence southeasterly along the center line of Mullen avenue to the center line of Angeles Vista boulevard; thence southwesterly along the center line of Angeles Vista boulevard to the center line of Mullen avenue from the south; thence southerly along the center line of Mullen avenue to the center line of Fifty-second street; thence easterly along the center line of Fifty-second street to the westerly boundary of the city of Los Angeles, as the same existed January 19, 1931; thence southerly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of that portion of Arizona avenue, lying southerly of Centinela avenue; thence

southerly along the center line of Arizona avenue to the southerly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly boundary of the county of Los Angeles; thence northwesterly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the sixty-first assembly district.

62. Sixty-second. All that portion of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of Ninth street and Maple avenue, in the city of Los Angeles, as the same existed January 19, 1931; thence southeasterly along the center line of Ninth street to the center line of Alameda street; thence southerly along the center line of Alameda street to the southerly boundary of the city of Los Angeles, as the same existed on above mentioned date, being also the northerly boundary of the city of Vernon, as the same existed on above mentioned date; thence westerly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of Slauson avenue (from the west), as shown on county surveyor's map number 7147 on file in the office of the surveyor of Los Angeles county; thence westerly along the center line of Slauson avenue to the center line of Main street; thence northerly along the center line of Main street to the center line of Santa Barbara avenue; thence easterly along the center line of Santa Barbara avenue to the center line of Woodlawn avenue; thence northerly along the center line of Woodlawn avenue to the center line of Maple avenue; thence northeasterly along the center line of Maple avenue to the point of beginning, shall constitute the sixty-second assembly district.

63. Sixty-third. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Washington street and Bronson avenue, in the city of Los Angeles, as the same existed January 19, 1931; thence easterly and southeasterly along the center line of Washington street to the center line of Hoover street; thence southerly and southwesterly along the center line of Hoover street to the center line of Jefferson boulevard; thence southeasterly along the center line of Jefferson boulevard to the center line of Figueroa street; thence southwesterly and southerly along the center line of Figueroa street to the center line of the Los Angeles Railway Company's right of way, (in Santa Barbara avenue); thence westerly along the center line of said last mentioned right of way and following the same in all its various courses to the center line of Vernon avenue; thence westerly along the center line of Vernon avenue to the center line of Crenshaw boulevard; thence northwesterly along the center line of Crenshaw boulevard to the center line of Vernon avenue, (from the southwest); thence southwesterly along the center line of Vernon avenue to the first intersection with the southwesterly boundary of aforesaid city of Los Angeles; thence southeasterly along the boundary of said city and following the same in all its various courses to the center line of Fifty-second street, as shown on map of Tract No. 5535, recorded in book seventy-six, pages seventy-four and seventy-five of maps, records of Los Angeles county; thence westerly along the center line of Fifty-second street to the center line of Mullen avenue; thence northerly along the center line of Mullen avenue to the center line of Angeles Vista boulevard; thence northeasterly along the center line of Angeles Vista boulevard to the center line of Mullen avenue, (from the northwest); thence northwesterly along the center line of Mullen avenue to the center line of Floresta way; thence westerly along the center line of Floresta way to the center line of Mullen way; thence southwesterly along the center line of Mullen way to the center line of Chanson drive; thence northwesterly and westerly along the center line of Chanson drive to the westerly line of Tract No. 6177, as shown on map recorded in book one hundred forty-four, pages seventy-seven to eighty-one, inclusive, of maps, records of said county; thence southerly along the westerly line of said last mentioned tract to the easterly prolongation of the east and west quarter section line of fractional section seventeen, township two south, range fourteen west, San Bernardino meridian; thence easterly along said prolongation and east and west quarter section line of said section to the north and south quarter section line in said section seventeen; thence northerly along said last mentioned quarter section line to the southwesterly boundary of the Rancho Cienega O'Paso de La Tijera, as shown on map recorded in book one, page two hundred fifty-nine of patents, records of said county; thence northwesterly along the boundary of said rancho and following the same in all its various courses to the southerly boundary of the city of Los Angeles, as the same existed on above mentioned date, being also the southerly boundary of the Palms addition to the city of Los Angeles; thence easterly along the boundary of said Palms addition to the center line of Crenshaw boulevard; thence northerly along the center line of Crenshaw boulevard to the center line of Adams street; thence easterly along the center line of Adams street to the center line of Bronson avenue, (from the northeast); thence northeasterly along the center line of Bronson avenue to the point of beginning, shall constitute the sixty-third assembly district.

64. Sixty-fourth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the center lines of Hoover street and Santa Monica boulevard, in the city of Los Angeles, as the same existed on January 19, 1931; thence northeasterly along the center line of Santa Monica boulevard to the center line of Sunset boulevard; thence southeasterly along the center line of Sunset boulevard and following the same in all its various courses to the center line of Bunker Hill avenue; thence southwesterly along the center line of Bunker Hill avenue to the center line of California street, (from the southeast); thence southeasterly along the center line of California street to the center line of Bunker Hill avenue, (from the southwest); thence southwesterly along the center line of Bunker Hill avenue to the center line of Temple street; thence northwesterly along the center line of Temple street to the center line of Flower street; thence southwesterly along the center line of Flower street to the center line of First street; thence northwesterly along the center line of First street to the center line of Figueroa street; thence southwesterly along the center line of Figueroa street to the center line of Seventh street; thence northwesterly along the center line of Seventh street to the center line of Hoover street; thence northerly along the center line of Hoover street to the center line of La Fayette Park place; thence northeasterly along the center line of La Fayette Park place to the center line of Sixth street; thence northwesterly along the center line of Sixth street to the center line of Hoover street; thence northerly along the center line of Hoover street to the center line of Occidental boulevard; thence northeasterly along the center line of Occidental boulevard to the center line of Beverly boulevard; thence northwesterly along the center line of Beverly boulevard to the center line of Hoover street; thence northerly and northeasterly along the center line of Hoover street to the center line of Temple street; thence northwesterly along the center line of Temple street to the center line of Hoover street; thence northerly along the center line of Hoover street to the point of beginning, shall constitute the sixty-fourth assembly district.

65. Sixty-fifth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of Vernon avenue and the southwesterly boundary of the city of Los Angeles, as the same existed January 19, 1931, being also the southwesterly boundary of the Angeles Mesa addition to the city of Los Angeles; thence northeasterly along the center line of Vernon avenue to the center line of Crenshaw boulevard; thence southeasterly along the center line of Crenshaw boulevard to the center line of Vernon avenue (from the east); thence easterly along the center line of Vernon avenue to the center line of the Los Angeles Railway Company's right of way (in Leimert boulevard); thence northerly along the center line of said right of way and following the same in all its various courses to the center line of Figueroa street; thence northerly and northeasterly along the center line of Figueroa street to the center line of the Southern Pacific Railroad Company's right of way, Santa Monica branch (commonly known as the air line); thence easterly along the center line of said last mentioned right of way to the center line of Hill street; thence southwesterly along the center line of Hill street to the center line of Thirty-fifth street; thence southeasterly along the center line of Thirty-fifth street to the center line of Main street; thence northeasterly along the center line of Main street to the center line of Jefferson boulevard; thence southeasterly along the center line of Jefferson boulevard to the center line of Maple avenue; thence southwesterly along the center line of Maple avenue to the center line of Woodlawn avenue; thence southerly along the center line of Woodlawn avenue to the center line of Santa Barbara avenue; thence westerly along the center line of Santa Barbara avenue to the center line of Main street; thence southerly along the center line of Main street to the center line of Slauson avenue; thence westerly along the center line of Slauson avenue to the center line of the Los Angeles Railway Company's right of way in Crenshaw boulevard; thence northerly along the center line of said last mentioned right of way to the center line of Fifty-second street; thence westerly along the center line of Fifty-second street to the center line of Victoria avenue; thence northerly along the center line of Victoria avenue to the first intersection with the northerly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the sixty-fifth assembly district.

66. Sixty-sixth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersections of the center lines of Slauson avenue and Van Ness avenue, from the south, in the city of Los Angeles, as the same existed January 19, 1931; thence easterly along the center line of Slauson avenue to the easterly boundary of the city of Los Angeles, as the same existed on above mentioned date (Shoestring addition); thence southerly along the boundary of said city and following the same in all its various courses to the center line of Manchester avenue; thence westerly along the center line of Manchester avenue and following the same in all its various courses to the easterly boundary of the city of Inglewood, as the same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to an angle point in said last mentioned boundary at or near

the northeasterly corner of block seventeen of tract No. 1924, as shown on map recorded in book twenty-three, page forty-seven of maps, records of Los Angeles county, said angle point being on the center line of Van Ness avenue; thence northerly along the center line of Van Ness avenue to the point of beginning, shall constitute the sixty-sixth assembly district.

67. Sixty-seventh. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the city of Vernon, as same existed January 19, 1931, at or near the northwesterly corner of Twenty-fifth and Alameda streets, said point of beginning being also an angle point in the boundary of the city of Los Angeles, as same existed on above mentioned date; thence easterly along the boundary of said city of Los Angeles and following the same in all its various courses to an angle point in aforesaid city of Vernon at or near the northeasterly corner of lot sixteen of tract No. 8626 as shown on map recorded in book one hundred twenty-one, pages ninety-six to one hundred, inclusive, of maps, records of Los Angeles county; thence southwesterly along the boundary of said city of Vernon and following the same in all its various courses to the center line of The Atchison Topeka and Santa Fe Railway Company's right of way (main line to San Diego); thence southeasterly along the center line of said right of way to the northeasterly prolongation of the southeasterly line of Church road; thence southwesterly along said last mentioned northeasterly prolongation and southeasterly line of Church road to the first intersection with the boundary of the city of Montebello, as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner of said last mentioned city; thence due south to the center line of Anaheim Telegraph road; thence southeasterly along the center line of Anaheim Telegraph road to the southeasterly boundary of the Rancho San Antonio as shown on map recorded in book one, page three hundred eighty-nine of patents, records of said county; thence southwesterly along the boundary of said rancho and following the same in all its various courses to the first intersection with the northeasterly boundary of the city of South Gate, as same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city at or near the northwesterly corner of tract No. 3233 as shown on map recorded in book thirty-six, page seventy of maps, records of said county; thence northwesterly along the northwesterly prolongation of that portion of the boundary of said last mentioned city lying on the southwesterly line of said last mentioned tract to the center line of the Southern Pacific Railroad Company's right of way (Santa Ana branch); thence northwesterly along the center line of said last mentioned right of way to the southerly prolongation of the center line of Santa Fe avenue; thence northerly along said southerly prolongation and center line of Santa Fe avenue to the southerly boundary of the city of Huntington Park, as same existed on the above mentioned date; thence westerly along the boundary of said last mentioned city to the first angle point therein, said angle point being at or near the southwesterly corner of lot A of tract No. 4286, as shown on map recorded in book forty-five, pages twenty-seven and twenty-eight of maps, records of said county, said angle point being on the easterly prolongation of the center line of Florence avenue; thence westerly along the center line of Florence avenue to the easterly boundary of the above mentioned city of Los Angeles; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the sixty-seventh assembly district.

68. Sixty-eighth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the intersection of the center line of Manchester avenue and the easterly boundary of the city of Inglewood as same existed on January 19, 1931; thence easterly along the center line of Manchester avenue and following the same in all its various courses to the easterly boundary of the city of Los Angeles, as the same existed on the above mentioned date, (in Central avenue); thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Florence avenue; thence easterly along the center line of Florence avenue and easterly prolongation thereof to the southwesterly corner of the city of Huntington Park as the same existed on the above mentioned date, said angle point being near the southwesterly corner of lot A of Tract No. 4286 as shown on map recorded in book forty-five, pages twenty-seven and twenty-eight of maps, records of Los Angeles county; thence easterly along the southerly boundary of said last mentioned city to the center line of Santa Fe avenue, (from the south); thence southerly along the center line of Santa Fe avenue and the southerly prolongation thereof to the center line of the Southern Pacific Railroad Company's right of way (Santa Ana branch); thence southeasterly along the center line of said right of way to the northwesterly prolongation of that portion of the southwesterly boundary of the city of South Gate as the same existed on the above mentioned date, lying on the southwesterly line of Tract No. 3233, as shown on map recorded in book thirty-six, page seventy of maps, records of said county; thence southeasterly along said last mentioned prolongation to the southwesterly boundary of said last mentioned city; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the northerly

boundary of the city of Lynwood, as same existed on above mentioned date, at or near the southeasterly corner of Tract No. 6717, as shown on map recorded in book one hundred six, pages one to four, inclusive, of maps, records of said county; thence westerly along the boundary of said city of Lynwood and following the same in all its various courses to the center line of One Hundred Sixth place (formerly known as First street of the Watts Park tract, as shown on map recorded in book eight, page seventy of maps, records of said county); thence southwesterly along the center line of One Hundred Sixth place to the easterly boundary of the city of Los Angeles as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Avalon boulevard; thence southerly along the center line of Avalon boulevard to the center line of Rosecrans avenue; thence southwesterly and westerly along the center line of Rosecrans avenue to the center line of San Pedro street; thence southeasterly along the center line of San Pedro street, Riverside Redondo boulevard, San Pedro street and along the center line of Avalon boulevard to the southerly line of "portion of the San Pedro rancho" (known as the Beaudry Downey and Hayward tract) as shown on map recorded in book four, page three hundred forty-eight of miscellaneous records of said county; thence westerly along the southerly line of said last mentioned tract and along the southerly line of the Strummer tract as shown on map recorded in book twenty-one, page one hundred thirty-one of maps, records of said county, to the easterly line of Main street; thence southerly and southwesterly along the easterly and southeasterly lines of Main street to the township line between townships three and four south, San Bernardino meridian; thence westerly along said township line to the southeasterly boundary of the city of Los Angeles as the same existed on the above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, at or near the northwesterly corner of lot one of Tract No. 4671, as shown on map recorded in book fifty-six, pages thirty and thirty-one of maps, records of said county; thence due north to the center line of One Hundred Ninetieth street; thence westerly along the center line of One Hundred Ninetieth street to the easterly boundary of the city of Torrance, as the same existed on the above mentioned date; thence northerly along the boundary of said city of Torrance and following the same in all its various courses to the center line of One Hundred Twenty-eighth street; thence easterly along the center line of One Hundred Twenty-eighth street to the center line of Arlington street; thence northerly along the center line of Arlington street and northerly along the north and south quarter section line of section two, township three south, range fourteen west, San Bernardino meridian, to the first angle point in the southerly boundary of the city of Inglewood, as the same existed on the above mentioned date, thence also the center of said last mentioned section; thence northerly along the boundary of said last mentioned city to the point of beginning, shall constitute the sixty eighth assembly district.

69. Sixty-ninth. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the city of South Gate as the same existed on January 19, 1931, said point being in the southwesterly corner of lot 1234, Tract No. 2080, sheet No. 2, as shown on map recorded in book twenty-two, pages one hundred sixty-two and one hundred sixty-three of maps, records of Los Angeles county; thence easterly along the boundary of said city and following the same in all its various courses to the southeasterly boundary of the Rancho San Antonio, as shown on map recorded in book one, page three hundred eighty-nine of patents, records of said county; thence northeasterly along the boundary of said rancho to the center line of Anaheim Telegraph road; thence southeasterly and easterly along the center line of Anaheim Telegraph road to the center line of The Atchison Topeka and Santa Fe Railway Company's right of way (main line to San Diego); thence southerly along the center line of said right of way to the northerly line of section eight, township three south, range eleven west, San Bernardino meridian; thence easterly and southerly along the northerly and easterly lines of said section to the southeasterly corner thereof; thence easterly along section lines to the northwesterly corner of section fourteen, said last mentioned township and range; thence southerly along the westerly line of said last mentioned section to the southwesterly corner thereof; thence easterly along section lines to the first intersection with the easterly boundary of the county of Los Angeles as same existed on above mentioned date; thence southerly along the boundary of said county and following the same in all its various courses to the first intersection with the northerly boundary of the city of Long Beach as the same existed on the above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the first intersection with the easterly boundary of the city of Compton, as the same existed on the above mentioned

date; thence westerly along the boundary of said last mentioned city to the southwesterly corner thereof, said southwesterly corner being on the southerly line of the Temple and Gibson tract, as shown on map recorded in book thirty-two, page forty-five of miscellaneous records of said county; thence westerly along the southerly line of said tract and the southerly line of "portion of the San Pedro rancho" (known as the Beaudry Downey and Hayward tract) as shown on map recorded in book four, page three hundred forty-eight of miscellaneous records of said county, to the center line of Avalon boulevard; thence northwesterly along the center lines of Avalon boulevard, San Pedro street, Riverside-Redondo boulevard and San Pedro street to the center line of Rosecrans avenue; thence easterly and northeasterly along the center line of Rosecrans avenue to the center line of Avalon boulevard (from the north); thence northerly along the center line of Avalon boulevard to the first intersection with the southerly boundary of the city of Los Angeles, as the same existed on the above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of One Hundred Seventh place, formerly known as First street of the Watts Park tract, as shown on map recorded in book eight, page seventy of maps, records of said county; thence northeasterly along the center line of One Hundred Seventh place to the westerly boundary of the city of Lynwood, as the same existed on the above mentioned date; thence northwesterly and easterly along the boundary of said last mentioned city to the first intersection with the boundary of aforesaid city of South Gate, at or near the southeasterly corner of lot thirty-three of Tract No. 6717, as shown on map recorded in book one hundred six, pages one to four, inclusive, of maps, records of said county; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the sixty-ninth assembly district.

70. Seventy. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the northwesterly corner of the city of Long Beach as the same existed January 19, 1931, said point being the northwesterly corner of the Gateway Park annexation to the city of Long Beach; thence easterly along the boundary of said city and following the same in all its various courses to the first intersection with the southeasterly boundary of the county of Los Angeles, as the same existed on the above mentioned date; thence southwesterly along the boundary of said county and following the same in all its various courses to the southwesterly prolongation of the center line of Sixteenth place, as shown on map of Alamos Beach townsite recorded in book fifty-nine, page eleven of miscellaneous records of said county; thence northeasterly along said southwesterly prolongation and center line of Sixteenth place to the center line of Ocean boulevard; thence westerly along the center line of Ocean boulevard to the center line of Cherry avenue; thence northeasterly and northerly along the center line of Cherry avenue to the center line of Fourth street; thence westerly along the center line of Fourth street to the center line of Alamos avenue; thence northeasterly along the center line of Alamos avenue to the center line of California avenue; thence northerly along the center line of California avenue to the southwesterly boundary of the city of Signal Hill as the same existed on the above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of that portion of California avenue lying northerly of Thirty-third street; thence northerly along the center line of California avenue to the center line of Bixby road; thence easterly along the center line of Bixby road to a point due south of an angle point in the boundary of the aforesaid city of Long Beach, at or near the northeasterly corner of California avenue and Bixby road; thence due north to said angle point; thence northerly along the boundary of the aforesaid city of Long Beach and following the same in all its various courses to the most southerly corner of lot forty, tract No. 3554, as shown on map recorded in book thirty-eight, pages forty-four and forty-five of maps, records of said county; thence southwesterly along the southwesterly prolongation of the southeasterly line of aforesaid lot forty to the center line of Long Beach boulevard; thence northwesterly along the center line of Long Beach boulevard to the southeasterly boundary of the Long Beach boulevard district annexation to the city of Long Beach; thence northeasterly along the boundary of said last mentioned annexation and following the same in all its various courses to the center line of Atlantic avenue; thence northerly along the center line of Atlantic avenue to the southerly boundary of the Gateway Park annexation to the city of Long Beach; thence westerly along the boundary of said annexation and following the same in all its various courses to the point of beginning, shall constitute the seventieth assembly district.

71. Seventy-first. All that part of the county of Los Angeles within the following described boundaries:

Beginning at the southwesterly corner of lot fifteen of the Straumer tract, as shown on map recorded in book twenty-one, page one hundred thirty-one of maps, records of Los Angeles county, said point being in the easterly line of Main street; thence easterly along the southerly line of said lot fifteen and easterly along the southerly line of "portion of the San Pedro rancho" (known as the Beaudry Downey and Hayward tract), as shown on map recorded in book four, page three hundred

forty-eight, miscellaneous records of said county, and easterly along the southerly line of the Temple and Gibson tract, as shown on map recorded in book thirty-two, page forty-five, miscellaneous records of said county, to the southwesterly corner of the city of Compton, as the same existed January 19, 1931; thence easterly along the southerly boundary of said city to the southeasterly corner thereof, said corner being a point in the northerly boundary of the city of Long Beach, as the same existed on the above mentioned date; thence easterly along the boundary of said city of Long Beach to the southwesterly corner of the Gateway Park annexation to the city of Long Beach; thence easterly along the southerly boundary of said annexation to the center line of Atlantic avenue; thence southerly along the center line of Atlantic avenue to the first intersection with the boundary of the Long Beach boulevard district annexation to the city of Long Beach; thence southwesterly along the boundary of said last mentioned annexation and following the same in all its various courses to the center line of Long Beach boulevard; thence southwesterly along the center line of Long Beach boulevard to the southwesterly prolongation of the southeasterly line of lot forty, tract No. 3554, as shown on map recorded in book thirty-eight, pages forty-four and forty-five of maps, records of said county; thence northwesterly along said southwesterly prolongation to the first angle point in the boundary of the city of Long Beach, as the same existed on the above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary, at or near the northeasterly corner of California avenue and Bixby road; thence due south to the center line of Bixby road; thence westerly along the center line of Bixby road to the center line of California avenue; thence southerly along the center line of California avenue to the northerly boundary of the city of Signal Hill, as the same existed on the above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of that portion of California avenue lying southerly of Burnett street; thence southerly along the center line of California avenue to the center line of Alhambra avenue; thence southwesterly along the center line of Alhambra avenue to the center line of Fourth street; thence easterly along the center line of Fourth street to the center line of Cherry avenue; thence southerly and southwesterly along the center line of Cherry avenue to the center line of Ocean boulevard; thence easterly along the center line of Ocean boulevard to the center line of Sixteenth place; thence southwesterly along the center line of Sixteenth place and the southwesterly prolongation thereof to the southerly boundary of the county of Los Angeles, as the same existed on above mentioned date; thence westerly along the boundary of said county of Los Angeles and following the same in all its various courses to the first intersection with the boundary of the city of Los Angeles, as the same existed on above mentioned date (Ostend addition); thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Wilmington avenue; thence northeasterly along the center line of Wilmington avenue to the easterly prolongation of the northerly line of tract No. 4954, as shown on map recorded in book forty-four, pages thirty-nine, forty and forty-one of maps, records of said county; thence westerly along said easterly prolongation and northerly line of said last mentioned tract, westerly along the northerly line of tract No. 3848, as shown on map recorded in book forty-two, pages sixty eight and sixty-nine of maps, records of said county, to the center line of Dominguez street; thence northwesterly, southwesterly and westerly along the center line of Dominguez street to the easterly line of Main street; thence northerly, northeasterly and northerly along the easterly, southeasterly and easterly lines of Main street to the point of beginning, shall constitute the seventy-first assembly district.

72. Seventy-second. All that portion of the county of Orange included in and comprising the first, fourth and fifth supervisorial districts of the said county as the same existed on January 1, 1931, shall constitute the seventy-second assembly district.

73. Seventy-third. All that portion of the county of Orange not included in the seventy-second assembly district, shall constitute the seventy-third assembly district.

74. Seventy-fourth. The county of Riverside, shall constitute the seventy-fourth assembly district.

75. Seventy-fifth. All that portion of the county of San Bernardino now comprised within the following townships, to wit: China, Ontario, Upland, Cucamonga, Etiwanda, and San Bernardino, shall constitute the seventy-fifth assembly district.

76. Seventy-sixth. All that portion of the county of San Bernardino not included within the seventy-fifth assembly district as fixed and defined in this act, shall constitute the seventy-sixth assembly district.

77. Seventy-seventh. The county of Imperial, shall constitute the seventy-seventh assembly district.

78. Seventy-eighth. All that portion of the county of San Diego, included and being the city of San Diego, as the same existed on January 1, 1931, and included within the following described boundary lines, to wit: lying northerly and westerly of the center line of Twenty-eighth street at its southerly end, to wit: at the Bay-shore line, and thence running northerly along the center line of Twenty-eighth street to the intersection with the center line of Broadway; thence easterly along the center line of Broadway to the intersection with the center line of Twenty-ninth street, thence northerly along the center line of Twenty-ninth street to the inter-

section with the center line of A street, thence westerly along the center line of A street to the intersection with the center line of Twenty-eighth street; thence northerly along the center line of Twenty-eighth street to the intersection with the center line of Upas street, thence westerly along the center line of Upas street to the intersection with the center line of Pershing drive; thence northerly along the center line of Pershing drive to the intersection with the center line of Landis street; thence westerly along the center line of Landis street to the intersection with the center line of Arnold street; thence northerly along the center line of Arnold street to the intersection with the center line of University avenue; thence westerly along the center line of University avenue to the center line of Park boulevard; thence northerly along the center line of Park boulevard to the intersection with the center line of Adams street; thence easterly along the center line of Adams street to the intersection with the center line of Alabama street; thence northerly along the center line of Alabama street to the intersection with the city boundary, at the northern termination of Alabama street in said city shall constitute the seventy-eighth assembly district.

79. Seventy-ninth. All that portion of the county of San Diego included within the corporate area of the city of San Diego as the same existed on January 1, 1931, not included within the seventy-eighth assembly district, as fixed and defined in this act, shall constitute the seventy-ninth assembly district.

80. Eightieth. All that portion of San Diego county not included within the seventy-eighth and seventy-ninth assembly districts, as fixed and defined by this act, shall constitute the eightieth assembly district."

AYES AND NOES DEMANDED.

A roll call was demanded by Senators McKinley, Evans and Edwards on Senator Fellom's motion to refer Senate Bill No. 169 to Senator Tubbs, as a Special Committee of One, for amendment.

The roll was called, and Senator Fellom's motion to refer Senate Bill No. 169 to Senator Tubbs, as a Special Committee of One for amendment, was lost by the following vote:

AYES—Senators Fellom, Maloney, Treacy, and Tubbs—4.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, Williams, and Young—33.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 169 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Cloek, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Swing, Tubbs, Wagy, Williams, and Young—33.

NOES—Senators Breed, Fellom, Maloney, Sharkey, Slater, and Treacy—6.

NOTICE OF MOTION TO RECONSIDER.

Senator Tubbs gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 169 was passed.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 46—An act establishing certain additional State highways and classifying them as secondary highways;

Also: Senate Bill No. 198—An act to repeal section 32½ of the California Irrigation District Act, relating to election on sale of bonds at less than par;

Also: Senate Bill No. 199—An act repealing chapter 489, Statutes of 1919, entitled "An act to authorize irrigation districts to refund outstanding bonded indebtedness," approved May 25, 1919;

Also: Senate Bill No. 200—An act to repeal chapter 254, Statutes of 1897, entitled "An act to provide for the issue and sale or exchange of funding bonds of irrigation districts organized under and in pursuance of an act of the Legislature of the State of California entitled 'An act to provide for the organization and government of irrigation districts, and to provide for the acquisition of water and other

property and for the distribution of water thereby for irrigation purposes," approved March 7, 1887, to provide for the payment of such bonds, and for proceedings to test the validity of the same," approved April 1, 1897, as amended;

Also: Senate Bill No. 202—An act to amend section 39 of the California Irrigation District Act, relating to the levying of assessments;

And reports that the same have been correctly enrolled and presented to the Governor on the nineteenth day of March, at two o'clock and thirty minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 203—An act to amend section 6 of the California Irrigation District Act, relating to election on organization;

Also: Senate Bill No. 278—An act to repeal chapter 341, Statutes of 1919, entitled "An act to be known as 'The California Irrigation Act,' providing for cooperation between the State of California and the United States, and independent proceedings, in the storage and diversion of water, the distribution thereof for irrigation and other beneficial uses and purposes, the generation and manufacture of electric power; creating an irrigation board, and providing for the formation of irrigation districts and conservation districts, and the conversion of irrigation districts, reclamation districts, drainage districts and other political subdivisions of the State organized for the purpose of promoting irrigation, reclamation and drainage, into irrigation districts under this act; and empowering said irrigation board to make and approve contracts and agreements, to construct reservoirs and other works, divert, distribute and sell water and lease and sell water rights, and generate, lease and sell electric power, to apportion to the constituent units of conservation districts the water and electric power to be produced and generated by conservation district works, to levy assessments, and issue bonds of irrigation districts and conservation districts; providing for the management, control and supervision of such irrigation districts and conservation districts and of the works constructed pursuant to this act; directing the State Department of Engineering relative to such works; and generally providing a policy relating to the storage, diversion and use of water and the manufacture or generation of electric power, and adopting a plan for providing revenues therefor; and repealing the California Irrigation Act approved June 4, 1915, and chapter 646 of the Statutes of 1917, approved May 28, 1917, amendatory thereof," approved May 16, 1919;

And reports that the same have been correctly enrolled and presented to the Governor on the nineteenth day of March, at two o'clock and thirty minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 493—An act to amend section 1 of chapter 234, Statutes of 1913, entitled "An act authorizing and empowering any city and county, or county, or city operating under freeholders' charter or otherwise, or any town, or any municipal corporation, in the State of California to donate and grant to the State of California any real property owned by it, or which it may hereafter acquire, within its corporate limits, for a site upon which the State of California may erect public buildings or maintain grounds in connection therewith; and also authorizing and empowering any of the same to use such part of its funds as deemed necessary toward the acquisition of such a site, also authorizing the incurring of indebtedness for any of the purposes aforesaid, and validating, legalizing and ratifying any bonded indebtedness which may be incurred in furtherance of any such purpose, and all of the proceedings leading up to the issuance and the proposed issuance of bonds for any such purpose," to authorize counties, cities and counties and cities to acquire property to be granted to the State of California by purchase or proceedings in eminent domain;

Also: Senate Concurrent Resolution No. 12—Relative to reports of the proceedings of the annual convention of the Veterans of Foreign Wars of the United States, Department of California;

And reports that the same have been correctly enrolled and presented to the Governor on the nineteenth day of March, at two o'clock and thirty minutes p.m.

RILEY, Chairman.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1583—An act to amend section 4278 of the Political Code, relating to compensation of county and township officers in counties of the forty-ninth class;

Also: Assembly Bill No. 1754—An act to amend section 16x16, Weights and Measures Act, relating to sealers of weights and measures in counties of the sixteenth class;

Also: Assembly Bill No. 1812—An act to amend section 19x16 of the Juvenile Court Law, relating to probation officers in counties of the sixteenth class;

Also: Assembly Bill No. 377—An act to amend section 2322x16 of the Political Code, relating to the salaries of the county agricultural commissioners, deputies and inspectors in counties of the sixteenth class;

Also: Assembly Bill No. 1050—An act to repeal chapter 3, embracing sections 4.180 to 4.196, both inclusive, of part II of division IV of the School Code, relating to teachers' salary funds in counties or cities and counties constituting but one school district.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1583, 1754, 1812 and 377 referred to Committee on County Government.

Assembly Bill No. 1050 referred to Committee on Education.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 19, 1931.

To the Senate of the State of California.

GENTLEMEN: I submit herewith appointments on the State Board of Prison Directors, made since the adjournment of the forty-eighth session of the Legislature, and respectfully ask your consent to these appointments:

R. A. Leonard, appointed January 12, 1930, vice Will F. Morrish, resigned.

Frank S. Sykes, appointed December 29, 1930, vice Chas. E. McLaughlin, resigned.

Yours very sincerely,
(Signed)

JAMES ROLPH, JR., Governor.

Message from the Governor referred to Committee on Rules.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Phyllis Zwinge, Velma Zwinge and Lorraine Zwinge of San Andreas, and Eleanor Womble of West Point.

ADJOURNMENT.

At five o'clock and ten minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Friday, March 20, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, March 20, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagly, and Williams—34.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 19, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Young was, on motion of Senator Harper, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Frederick W. Notz, editor of the Daily Californian, University of California at Berkeley.

On request of Senator Pedrotti, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ida Coverman of Los Angeles.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Clara P. Christian, principal; and pupils of Lafayette School, as follows: Dollie Belle Baugh, Lelia Brown, Maxine Busekist, Alice Dawson, Verna Huntsman, Audrey Jones, Frances Machado, Teresa Machado, Tessa McPherson, Ben Hamblin, Rothery McKeegan, Arthur White, Norma Bishop, May Gray, Dorothy Hallmeyer, Elizabeth Sillineri, Barbara Whittaker, Alfred Fagundes, Forrest Mason, Shoji Tamori and Marland Chandler; and Mrs. G. Medau, and Cleo McCullough, principal; and pupils of Oak Grove School, as follows: Bill Burtchaell, August Gradisher, Hiroshi Kanagaki, Peggy Van Schoick, Louis Mangini, Minoru Kanagaki, Tom Ehara, Fred Cancilla, Rudy Carzol, Ruth Ford, Margaret Burr, Mary Marcellini, Joey Mangini, George Kanagaki, Hidinori Sakamoto, Edward Burtchaell, Mary Gaylord, Laura Jean Struby, Ayako Kanagaki, Tsuyko Watanabi, Johnny Semas and Dorothy Semas.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Pleasant Hill School pupils as follows: Sylvia Peterson, Helen Brochurst, Irene Thorne, Carol McKean and Delbert Oxley.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Calistoga Grammar School, with officers and class as follows: Mr. and Mrs. Earl Du Laney, Mrs. Delia Holmes, guardian; Mr. Les Decker, bus driver; Marie Tedeschi, president; Miss Milena Barberis, vice president; Mr. Henry Carlenzoli, vice president; Edna Light, secretary; Francis McKenna, assistant secretary; and students as follows: Olga Ghisolfo, Billy De Mattei, Francis Turner, James Brooks, Charles Adams, Robert Mangis, Miles Lewis, Lewis Rossie, Minnie Fleming, Ernest Egenberger, Marjorie Piner, Maryan Fairchild, Gertrude Hughes, Dora Peterson, Ruben Phillips, Carol Holmes, Billy Bentley, Lurline Clark, Daisy Cook, Lee Knight, Gene Holliday, Stanley Gifford, Robert Morris, Betty McManus, Edwin Stanley, Peggy Holmes, Dorothy Morler and John Suffia.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to class from

Moraga school as follows: Geraldine Carr, Bonnie Cooper, Margaret Foster, Louisa Larch, Cecilia Neves, Alice Connors, Irene Mary Williams, Marion Carroll, Edward Azevedo, Edward Velozquly, Edward Mason, Bennie Kinnicutt, James Whitmore and Frances E. Warren.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Walnut Creek and Canyon schools: Bertha Alling, Maxine Anderson, Susie Bertino, Gertrude Brown, Meriam Butt, Lulane Carrington, Edmund Chambers, Edith Deiveng, Roy Danielson, Pearl Dorik, Robert Ferrier, Joe Gilder, Franklin Graham, Georginia Garbutt, Beth Geary, Virginia Hook, Chester Hook, James Elaine, Barbara Lawrence, Billy Lawrence, Charlotte Laird, Dick Toomey, Vallain Lemoine, Lois Mitchell, Robert Whaley, Barbara Nourse, Winthrop Townsend, Billy Palmer, Edwin Rodrigues, Jimmy Salmon, Adaline Squier, Constance Sanders, Lee Stanley, Bruce Schremp, Frank Treadway, Maxine Treadway, Beulah Lyceer, Bertine Lyceer, Bill Thomas, George Viers, Betty Walker, Beatrice Thompson and Harold Hull; and Mrs. Dewing, Mrs. Lyceer, Mrs. Anderson, Mrs. Butt, Mrs. Toomey, Sheldon Rankin. Canyon School: Miss Violet Bradley, Sharleen Walters, Jane Irmann, Marie Schaffer, Margaret Gordon, Buddy Hewson and Junius Kirk.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred message from the Governor, as follows:

"STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, March 19, 1931.

To the Senate of the State of California.

GENTLEMEN: I submit herewith appointments on the State Board of Prison Directors, made since the adjournment of the forty-eighth session of the Legislature and respectfully ask your consent to those appointments:

R. A. Leonard, appointed January 12, 1930, vice Will F. Morrish, resigned.

Frank C. Sykes, appointed December 29, 1930, vice Charles E. McLaughlin, resigned.

Your very sincerely,

JAMES ROLPH, JR., Governor."

Has had the same under consideration, and respectfully reports the same back, and recommends that the above named appointments be confirmed.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

MOTION CONFIRMING APPOINTMENTS OF GOVERNOR.

Senator Breed moved that the Senate advise and consent to the appointments of the Governor.

The President put the question: Will the Senate advise and consent to the appointment of R. A. Leonard, as a member of the State Board of Prison Directors, vice Will F. Morrish, resigned?

The roll was called, with the following result:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Whereupon, the President announced that the Senate had advised and consented to the appointment of R. A. Leonard, as a member of the State Board of Prison Directors, vice Will F. Morrish, resigned.

The President put the question, Will the Senate advise and consent to the appointment of Frank C. Sykes, as a member of the State Board of Prison Directors, vice Charles E. McLaughlin, resigned?

The roll was called, with the following result:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, and Williams—29.

NOES—None.

Whereupon, the President announced that the Senate had advised and consented to the appointment of Frank C. Sykes, as a member of the State Board of Prison Directors, vice Charles E. McLaughlin, resigned.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 89—An act to amend section 15 of chapter 755 of the Statutes of 1915, entitled Los Angeles County Flood Control Act, approved June 12, 1915, as amended, relating to contracts for work, materials and supplies;

Also: Senate Bill No. 421—An act to amend section 363i of the Political Code, relating to the supervision of ports by the Department of Public Works, and to repeal sections 2584, 2586, 2589, 2590 and 2607 of the Political Code, relating to the Board of State Harbor Commissioners for the bay of San Diego, and to the San Diego Harbor Improvement Fund;

Also: Senate Bill No. 490—An act defining the civil liability for failure to control fire;

Also: Senate Bill No. 491—An act to amend section 384 of the Penal Code, relating to fires;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 692—An act to amend sections 2, 5, 6, and 8 of an act entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue, or kill wild birds or mammals, and or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," relating to the issuing of, accounting for, compensation for issuing, duration of, and mode of applying for hunting and fishing; licenses and the definition of game fishes and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 to 5.1490, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement System, the creation and establishment of a board to manage and operate said system, for contributions from teachers, the State of California and school districts for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to Committee on Finance, without recommendation.

Committee membership—13; committee vote: Ayes—11; absent—2.

SLATER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Education, the following amendment to Senate Bill No. 260 was read, and adopted:

AMENDMENT NUMBER ONE.

On page 10, line 40, of the printed bill as amended in Senate March 16, 1931, after the word "to", insert the word "thirty".

Bill ordered to print, and re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 437—An act to amend sections 4.383 and 4.384 of the School Code—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—11; absent—2.

SLATER, Chairman.

Senate Bill No. 437 ordered on file for second reading.

ON UNIVERSITIES AND TEACHERS COLLEGES.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Committee on Universities and Teachers Colleges, to which was referred Senate Bill No. 481—An act relating to the support and maintenance of instruction in nursing education at the University of California, defining the powers and duties of the State Director of Finance in relation thereto, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—8; absent—1.

DEUEL, Chairman.

Senate Bill No. 484 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 47—An act to add section 5.128 to the School Code, relating to the requirements to be met by persons applying for credentials for employment in the public schools;

Also: Senate Bill No. 377—An act to amend the School Code of the State of California by adding section 4.982 thereto, relating to school bonds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—11; absent—2.

SLATER, Chairman.

Senate Bills Nos. 47 and 377 ordered on file for second reading.

ON LABOR AND CAPITAL.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Labor and Capital, to which was referred Senate Bill No. 26—An act to provide for the payment of the highest prevailing rate of wages on public work, whether the work is done by contract or otherwise, and double pay for legal holiday work and for such overtime work as is permitted by law, providing for the ascertainment of such highest prevailing rate by the public body awarding the contract and its insertion in the contract and bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof;

Also: Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any alien is permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

MALONEY, Chairman.

Senate Bills Nos. 26 and 83 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 806—An act to amend sections 1195b, 1205, 1210, 1229 and 1261, of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262, of the Political Code, relating to tally lists—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

FELLOM, Chairman.

Senate Bill No. 806 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 387—An act to amend sections 1357, 1359, 1361 and 1362 of the Political Code, relating to absent voters—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—8; absent—3.

FELLOM, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Elections, the following amendments to Senate Bill No. 387 were read, and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "1357," insert the following: "1358,".

AMENDMENT NUMBER TWO.

In line 1 of the title of the printed bill, after "1359," insert the following: "1360,".

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, after the word "precinct", insert the following: ", or unable to vote therein by reason of physical disability".

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, after "general election", insert the following: ", or any special election conducted throughout the county by the county clerk or registrar of voters, or any general municipal election (excluding any district election) conducted throughout the city or town,".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out lines 10 and 11, and insert in lieu thereof the following: "may pro-".

AMENDMENT NUMBER SIX.

On page 1, line 13, of the printed bill, strike out "of his" and all of lines 14 and 15, and insert in lieu thereof the following: ", or in case of a municipal election from the city clerk of the municipality of his residence, and cast said ballot upon complying with the provisions of this chapter."

AMENDMENT NUMBER SEVEN.

On page 1, line 16, of the printed bill, strike out "ten", and insert in lieu thereof the following: "twenty".

AMENDMENT NUMBER EIGHT.

On page 1, line 19, of the printed bill, after "city and county", insert the following: ", or in case of a municipal election to the city clerk of the municipality".

AMENDMENT NUMBER NINE.

On page 2, line 19, of the printed bill, after "of voters", insert the following: ", and in case of a municipal election the clerk of the municipality,".

AMENDMENT NUMBER TEN.

On page 2, line 29, of the printed bill, after "registrar of voters", insert the following: ", or in case of a municipal election the clerk of the municipality,".

AMENDMENT NUMBER ELEVEN.

On page 2, line 31, of the printed bill, strike out "the truth of said affidavit", and insert in lieu thereof the following: "his or her right to a ballot".

AMENDMENT NUMBER TWELVE.

On page 2, line 33, of the printed bill, strike out "officer", and insert in lieu thereof the following: "clerk or registrar of voters".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 35, of the printed bill, after "application", strike out "affidavit".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 36, of the printed bill, strike out "said", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 38, of the printed bill, after "and county", insert the following: "or city".

AMENDMENT NUMBER SIXTEEN.

On page 2, line 42, of the printed bill, strike out "precinct".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 46, of the printed bill, strike out "his", and insert in lieu thereof the following: "the".

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 49, of the printed bill, after "shall", strike out the rest of the line and all of lines 50 to 52, inclusive.

AMENDMENT NUMBER NINETEEN.

On page 3, line 1, of the printed bill, strike out "tion, and said voter shall".

AMENDMENT NUMBER TWENTY.

On page 3, line 2, of the printed bill, strike out "thus declares", and insert in lieu thereof the following: "declared".

AMENDMENT NUMBER TWENTY-ONE.

On page 3 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following: "as shown by his affidavit of registration, if such political party is participating in such election."

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 7, of the printed bill, strike out "said", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 8, of the printed bill, strike out "said", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER TWENTY-FOUR.

On page 3, lines 9 and 10, of the printed bill, strike out the following: " , if such political party is participating in such election".

AMENDMENT NUMBER TWENTY-FIVE.

On page 3, line 10, of the printed bill, strike out "said", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER TWENTY-SIX.

On page 3, line 17, of the printed bill, after "and county", insert the following: " , or in case of a municipal election by the city clerk or clerk of said municipality".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 3, between lines 20 and 21, of the printed bill, insert the following:

"Sec. 2. Section 1358 of the Political Code is hereby amended to read as follows: 1358. The identification envelope and return envelope provided for herein shall be of such form, size and weight as may be necessary and convenient as prescribed by the county clerk or registrar of voters and in case of a municipal election by the clerk of said municipality. The identification envelope shall have printed on its face an affidavit in the following form:

State of----- } ss.
County of----- }

I, ----- do solemnly swear that I am a resident of and a qualified voter in ----- precinct in the city of -----, county of -----, in the said state; that I have not heretofore voted at the election for which I am now casting my ballot; that I have the legal right to vote at said election and that I have herein

enclosed my ballot for such election duly marked as required by law in presence of _____ in and for county of _____ state of _____
 Official title _____

 Signature

 Residence address

Subscribed and sworn to before me a _____ in and for _____ county, state of _____ this _____ day of _____ 19____ and I hereby certify that the affiant presented himself before me on the day above named in the city (or town) of _____ county of _____ state of _____; that he exhibited to me the enclosed ballot and the same was not marked; that he, before me at the same time and place marked his ballot but in such a manner that I did not see his vote; that he then folded and enclosed said ballot so marked in this envelope, which envelope he handed to me sealed; whereupon I wrote or stamped my name across the seal of said envelope and returned said envelope to him to be forwarded by him to the county clerk or registrar of voters of the county of _____ (or in case of city election to city clerk of _____) State of California.

(Signed) _____

 in and for the county of _____ state of _____

AMENDMENT NUMBER TWENTY-EIGHT.

On page 3, line 21, of the printed bill, strike out "Sec. 2.", and insert in lieu thereof the following: "Sec. 3."

AMENDMENT NUMBER TWENTY-NINE.

On page 3, line 23, of the printed bill, after "voter", insert the following: "applying for and receiving a ballot as herein provided".

AMENDMENT NUMBER THIRTY.

On page 3, line 25, of the printed bill, strike out "the", before the word "election", in said line.

AMENDMENT NUMBER THIRTY-ONE.

On page 3, line 25, of the printed bill, after "election", insert the following: "for which such ballot is to be voted."

AMENDMENT NUMBER THIRTY-TWO.

On page 3, line 28, of the printed bill, after "county", insert the following: "or in case of a municipal election at the office of the city clerk of said municipality."

AMENDMENT NUMBER THIRTY-THREE.

On page 3, line 28, of the printed bill, after "seal", strike out "a", and insert in lieu thereof the following: "his".

AMENDMENT NUMBER THIRTY-FOUR.

On page 3, line 30, of the printed bill, after "shall", insert the following: "first display the ballot to such officer as evidence that the same is not marked, and shall then proceed to".

AMENDMENT NUMBER THIRTY-FIVE.

On page 3, line 35, of the printed bill, after "the same in", strike out the rest of the line, all of lines 36 and 37 and in line 38, "1538 of this Code. The", and insert in lieu thereof the following: "identification envelope; the".

AMENDMENT NUMBER THIRTY-SIX.

On page 3, line 42, of the printed bill, after "on the", insert the following: "identification".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 3, line 46, of the printed bill, strike out "election", and insert in lieu thereof the following: "canvassing".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 3, line 46, of the printed bill, after "provided, and", strike out "the", and insert in lieu thereof the following: "a".

AMENDMENT NUMBER THIRTY-NINE.

On page 3, line 47, of the printed bill, after "the", insert the following: "identification".

AMENDMENT NUMBER FORTY.

On page 3, line 51, of the printed bill, after "county", insert the following: "or city".

AMENDMENT NUMBER FORTY-ONE.

On page 3, line 6, of the printed bill, after the word "county", insert the following: ", or city".

AMENDMENT NUMBER FORTY-TWO.

On page 3, line 51, of the printed bill, strike out "on election day".

AMENDMENT NUMBER FORTY-THREE.

On page 3, line 52, of the printed bill, strike out "injury or", and insert in lieu thereof the following: "physical".

AMENDMENT NUMBER FORTY-FOUR.

On page 3, line 52, of the printed bill, strike out "his", and insert in lieu thereof the following: "the".

AMENDMENT NUMBER FORTY-FIVE.

On page 4, line 3, of the printed bill, strike out "or registrar of the", and insert in lieu thereof the following: "or any registrar of voters or any notary public or any officer of the district and city, county, or city and county, authorized by law to administer oaths within the".

AMENDMENT NUMBER FORTY-SIX.

On page 4, line 5, of the printed bill, strike out "in which he may be on said day", and insert in lieu thereof the following: "or in any other state within the United States in which he may be at the time of receiving his ballot, or at any time on or before the date of election but not thereafter".

AMENDMENT NUMBER FORTY-SEVEN.

On page 4, line 5, of the printed bill, after "seal" strike out "a", and insert in lieu thereof the following: "his".

AMENDMENT NUMBER FORTY-EIGHT.

On page 4, line 8, of the printed bill, after "on the", insert the following: "identification".

AMENDMENT NUMBER FORTY-NINE.

On page 4, line 8, of the printed bill, after "envelope", insert the following: "and enclose said envelope in the return envelope".

AMENDMENT NUMBER FIFTY.

On page 4, lines 11 and 12, of the printed bill, strike out "by registered mail".

AMENDMENT NUMBER FIFTY-ONE.

On page 4, line 12, of the printed bill, after "voters,", insert the following: "or in case of a municipal election to the clerk of the municipality".

AMENDMENT NUMBER FIFTY-TWO.

On page 4, line 13, of the printed bill, strike out "There", and lines 14 to 34, inclusive, and insert in lieu thereof the following:

"SEC. 4. Section 1360 of the Political Code is hereby amended to read as follows:

1360. All ballots cast under the provisions of this chapter must, in order that they may be counted, be received by the county clerk or registrar of voters, of the county, or city and county, or in case of municipal election by the city clerk of the municipality in which said voters are registered, within six days after the date of the election in which such ballots are to be counted."

AMENDMENT NUMBER FIFTY-THREE.

On page 4, line 35, of the printed bill, strike out "Sec. 3.", and insert in lieu thereof the following: "Sec. 5."

AMENDMENT NUMBER FIFTY-FOUR.

On page 4, line 39, of the printed bill, strike out "fifteen", and insert in lieu thereof the following: "seven".

AMENDMENT NUMBER FIFTY-FIVE.

On page 4, line 40, of the printed bill, after "voters", insert the following: ", or canvassing board appointed by him,".

AMENDMENT NUMBER FIFTY-SIX.

On page 5, line 3, of the printed bill, strike out "an election", and insert in lieu thereof the following: "a canvassing".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 5, line 4, of the printed bill, strike out "them", and insert in lieu thereof the following: "him".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 5, line 4, of the printed bill, after "purpose", insert the following: ", or in case of a municipal election by the canvassing board of such municipality".

AMENDMENT NUMBER FIFTY-NINE.

On page 5, line 7, of the printed bill, strike out "excepting", and insert in lieu thereof the following: "except".

AMENDMENT NUMBER SIXTY.

On page 5, line 11, of the printed bill, strike out "Sec. 4.", and insert in lieu thereof the following: "Sec. 6."

AMENDMENT NUMBER SIXTY-ONE.

On page 5 of the printed bill, strike out lines 13 to 30, inclusive, and insert in lieu thereof the following:

"1362. (a) The county clerk or registrar of voters, or canvassing board appointed as hereinbefore provided, or in case of a municipal election, the canvassing board of said municipality,".

AMENDMENT NUMBER SIXTY-TWO.

On page 5, lines 34 and 35, of the printed bill, strike out the following: "board of supervisors, board of election commissioners or election board", and insert in lieu thereof the following: "canvassing board, board of election commissioners, or in case of municipal elections the canvassing board of the municipality".

AMENDMENT NUMBER SIXTY-THREE.

On page 5, line 41, of the printed bill, after "such", insert the following: "identification".

AMENDMENT NUMBER SIXTY-FOUR.

On page 5, line 43, of the printed bill, after "ballot", insert the following: "remove the same therefrom and".

AMENDMENT NUMBER SIXTY-FIVE.

On page 5, lines 44 and 45, of the printed bill, strike out the following: "after removing the number therefrom".

AMENDMENT NUMBER SIXTY-SIX.

On page 5, line 46, of the printed bill, strike out "they", and insert in lieu thereof the following: "the box shall be thoroughly shaken. They".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 5, lines 46 and 47, of the printed bill, strike out "after said box is thoroughly shaken".

AMENDMENT NUMBER SIXTY-EIGHT.

On page 5, line 48, of the printed bill, after "by the", strike out the rest of the line and all of line 49 and insert in lieu thereof the following: "county clerk, registrar of voters or canvassing board appointed for that purpose, or in case of a municipal election by the canvassing board of said municipality, and the result".

AMENDMENT NUMBER SIXTY-NINE.

On page 6 of the printed bill, strike out lines 9 to 14, inclusive, and insert in lieu thereof the following: "The identification".

AMENDMENT NUMBER SEVENTY.

On page 6, line 16, of the printed bill, after "voters", insert the following: ", or in case of a municipal election to the clerk of the municipality".

AMENDMENT NUMBER SEVENTY-ONE.

On page 6, line 17, of the printed bill, strike out "not exceeding two years", and insert in lieu thereof "of one year".

AMENDMENT NUMBER SEVENTY-TWO.

On page 6, line 20, of the printed bill, after "any", insert the following: "identification".

AMENDMENT NUMBER SEVENTY-THREE.

On page 6, line 22, of the printed bill, strike out "registration affidavit", and insert in lieu thereof the following: "affidavit of registration".

AMENDMENT NUMBER SEVENTY-FOUR.

On page 6, line 25, of the printed bill, after "of said", insert the following: "canvassing".

AMENDMENT NUMBER SEVENTY-FIVE.

On page 6, line 27, of the printed bill, after "opened.", insert the following: "It shall be the duty of the county clerk or registrar of voters to keep an accurate list of all voters who have received and voted an absent voter ballot and said list and envelope shall be examined with the roster of voters provided for in subdivision 6 of section 1106 of the Political Code."

Bill ordered to print, and re-referred to Committee on Elections.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 903—An act to add a new section to the Civil Code to be known as section 453g, relative to the registration of life insurance policies issued by assessment companies—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

TUBBS, Chairman.

Senate Bill No. 903 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 545—An act to amend section 46 of the Workmen's Compensation Insurance and Safety Act, approved May 26, 1913, relating to insurance carriage of the State and certain political subdivisions, public corporations and quasi public corporations;

Also: Assembly Bill No. 874—An act to amend section 453j of the Civil Code, relating to insurance;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

TUBBS, Chairman.

Assembly Bills Nos. 545 and 874 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 923—An act to amend sections 633 and 633a, and to add sections 633a1, 633a2, 633a3, 633a4, 633a5, 633a6, 633a7, 633a8, 633a9, 633a10, 633a11, 633a12, 633a13, 633a14, 633a15, 633a16, 633a17, 633a18, 633a19, 633a20, 633a21, 633a22, 633a23, 633a24, 633a25, 633a26, 633a27, 633a28, 633a29, 633a30, 633a31, 633a32, 633a33, 633a34, and 633a35 to the Political Code, relating to the qualification and licensing of insurance agents, brokers, and solicitors, and making an appropriation for the support of the board of insurance qualification—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—10; absent—1.

TUBBS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Insurance, the following amendments to Assembly Bill No. 923 were read, and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 27, of the printed bill, delete the word "two", before the word "thousand", and insert in lieu thereof the word "one".

AMENDMENT NUMBER TWO.

On page 6, line 43, of the printed bill, delete the word "or", and substitute therefor the word "on".

AMENDMENT NUMBER THREE.

On page 8, line 48, of the printed bill, after the word "one", insert the words "representative or".

AMENDMENT NUMBER FOUR.

On page 10, on line 38, of the printed bill, after the semicolon following the word "agents", insert "or any reciprocal or interinsurance exchanges, or their attorneys, solicitors, agents or employees;"

AMENDMENT NUMBER FIVE.

On page 10, line 39, of the printed bill, after the comma following the word "insurance", insert "or the agents, solicitors or employees of any such company or association,"

AMENDMENT NUMBER SIX.

On page 10, line 41, of the printed bill, after the word "brokers", change the period to a comma and add thereafter the words, "nor to prohibit a broker licensed under this act from soliciting or negotiating contracts of life insurance and receiving a commission therefor."

AMENDMENT NUMBER SEVEN.

On page 10, line 47, of the printed bill, change the letter "I", appearing in the section designated as "633aI" to the figure "1" so that the same will read "633a1".

Bill ordered to print, and re-referred to Committee on Insurance.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 932—An act to amend section 1 of an act entitled "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing and procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929;

Also: Assembly Bill No. 1506—An act to amend sections 1, 2, 3, 4, 5 and 6 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent therewith," approved May 23, 1923, relating to the office of State Fire Marshal;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

TUBBS, Chairman.

Assembly Bills Nos. 932 and 1506 ordered on file for second reading.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, March 19, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, public streets, roads and highways and other wells—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—8; committee vote: Ayes—8.

(Signed out)

SHARKEY, Chairman.
DUVAL.
EDWARDS.
HARPER.
MALONEY.
MORAN.
WAGY.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Oil Industries, the following amendments to Senate Bill No. 363 were read, and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, as amended, after the word "permit", strike out the period and insert a comma and the following: "and provided that nothing herein contained shall apply to lands used as railroad rights of way."

AMENDMENT NUMBER TWO.

Following line 24 of the printed bill, add a paragraph to read as follows:

"If any section, subsection, sentence, proviso, clause or phrase of this act is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, proviso, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, provisos, clauses or phrases be declared unconstitutional."

Bill ordered to print, and re-referred to Committee on Oil Industries.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Allen moved to reconsider the vote whereby Senate Bill No. 286 was passed.

POSTPONEMENT OF MOTION TO RECONSIDER.

Senator Allen then moved to have his motion to reconsider the vote whereby Senate Bill No. 286 was passed, postponed until the next legislative day.

Motion carried.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 126—An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal chapter 32, Statutes of 1911, extra session, entitled "An act to provide for the recall of elective officers of incorporated cities and towns," approved January 2, 1912;

Also: Senate Bill No. 66—An act to amend section 4041.10 of the Political Code, relating to the changing of boundaries of election precincts; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

FELLOM, Chairman.

Senate Bills Nos. 126 and 66 ordered on file for second reading.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 416—An act to provide for the standardization of cement-concrete pipe sold for irrigation purposes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to this committee.

Committee membership—11; committee vote: Ayes—8; absent—3.

CARTER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Public Utilities, the following amendments to Senate Bill No. 416 were read, and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 2, of the printed bill, strike out the words "under pressure heads", and in line 3, strike out the words "of twenty-five feet or less, and,".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, at the end of the line, after the word "concrete", insert the word "irrigation".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, strike out the period and insert in lieu thereof a comma and the following words: "and each section of pipe sold as California standard cement-concrete irrigation pipe shall be plainly marked with the letters: C. S. I. P., either embedded in or indelibly marked on the concrete."

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, strike out the comma, and insert in lieu thereof a period.

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out all of lines 23, 24, and 25.

AMENDMENT NUMBER SIX.

On page 2, line 8, of the printed bill, insert a comma after the word "friable".

AMENDMENT NUMBER SEVEN.

On page 2, line 38, of the printed bill, strike out the words "at an approx-", and in line 39, strike out "imate rate of five pounds per square inch per minute".

AMENDMENT NUMBER EIGHT.

On page 3, line 23, of the printed bill, strike out the word "plant", and insert in lieu thereof the word "plate".

AMENDMENT NUMBER NINE.

On page 4, lines 8 to 27, both inclusive, of the printed bill, strike out the subheading "working pressure head in feet", and all figures in the column underneath said subheading.

AMENDMENT NUMBER TEN.

On page 4 of the printed bill, strike out all of lines 29 to 35, both inclusive.

AMENDMENT NUMBER ELEVEN.

On page 4, line 36, of the printed bill, strike out the word "thickness", and insert in lieu thereof the word "thicknesses".

AMENDMENT NUMBER TWELVE.

On page 4, line 41, of the printed bill, strike out the word "pipe", and insert in lieu thereof the word "section".

AMENDMENT NUMBER THIRTEEN.

On page 4, lines 45 and 46, of the printed bill, insert a period after the word "infiltration", and strike out the words "as well as appreciable irregularities in the flow of the conduit."

AMENDMENT NUMBER FOURTEEN.

On page 5, line 7, of the printed bill, strike out the word "waterproofing", and insert in lieu thereof the word "waterproofing".

AMENDMENT NUMBER FIFTEEN.

On page 5, line 8, of the printed bill, insert a comma after the word "pound".

AMENDMENT NUMBER SIXTEEN.

On page 5 of the printed bill, strike out all of lines 10, 11, and 12, and insert at the beginning of line 13 the following: "Sec. 5."

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 13, of the printed bill, strike out the word "standard", and insert in lieu thereof the words "California standard cement-concrete pipe".

AMENDMENT NUMBER EIGHTEEN.

On page 5 of the printed bill, at the end of line 30, insert the word "irrigation".

AMENDMENT NUMBER NINETEEN.

On page 5, line 32, of the printed bill, strike out the words "under pressure heads of twenty", and strike out in line 33 the words "five feet or less."

Bill ordered to print, and re-referred to Committee on Public Utilities.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 289—An act to amend chapter 207, Statutes of 1921, entitled "An act to authorize counties to cooperate with the Secretary of Agriculture of the United States for the survey, construction and maintenance of roads and trails, and to pay part of the expenses thereof, pursuant to the provisions of section 8 of the act of Congress approved July 11, 1916, entitled 'An act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes.' " approved May 23, 1921, relating to roads and trails.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, after the word "by", insert the following: "ordinance or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 3, of the printed bill, between the quotation marks ("), and the word "upon", insert the following: "or pursuant to the provisions of section 23 of the federal highway act."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 8½ of article XI of the constitution of said State, relating to city charters and to the mode of elections held thereunder.

COMMITTEE AMENDMENT.

During the reading of Senate Constitutional Amendment No. 9, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed constitutional amendment, strike out all of lines 45, 46 and 47, and insert the following:

"It shall be competent in such charters to provide any mode for the nomination and/or election of the officers of such city or city and county, and to adopt and provide for any system of proportional representation on the legislative body thereof, also the manner of voting under such system."

Amendment adopted.

Senate Constitutional Amendment No. 9 read, ordered to print, engrossment, and on file.

Senate Bill No. 166—An act to amend section 470 of the Civil Code, relating to the use of streets and public land or water within incorporated cities and towns.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 186—An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways and roads, streets, squares, lanes, alleys, courts and places within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees.

Bill read second time, ordered engrossed, and on file for third reading.

SECRETARY JOSEPH A. BEEK AT THE DESK.

Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 7, line 12, of the printed bill, strike out the period after the word "as", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 8, line 23, of the printed bill, after the word "child", insert the following: "conceived before but".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 19, lines 1 and 2, of the printed bill, strike out "subject to the provisions of section 26 of this code", and insert in lieu thereof the following: "except as limited by section 26 of this code,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 20, lines 20 and 21, of the printed bill, strike out the words "to and served upon", and insert in lieu thereof the following: "directed to".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 21, line 28, of the printed bill, strike out the words "bank act", and insert in lieu thereof the following: "Bank Act".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 22, line 1, of the printed bill, strike out the word "issue", and insert in lieu thereof the following: "direct the issuance of".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 28, line 25, of the printed bill, strike out the word "hereinbefore", and insert in lieu thereof the following: "hereinafter".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 32, line 37, of the printed bill, strike out "shall", and insert in lieu thereof the following: "may".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 35, line 38, of the printed bill, strike out "(if any), with their dates;", and insert in lieu thereof a comma and the following: "if any, with their dates,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 45, line 8, of the printed bill, after "notice", insert the following: "or as extended by the provisions of section 702 of this code".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 50 of the printed bill, strike out line 22 and insert in lieu thereof the following: "legates must".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 50, lines 37 and 38, of the printed bill, strike out the words "in section 750", and insert in lieu thereof "by sections 750 and 751".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 52, line 25, of the printed bill, strike out the word "in", and insert in lieu thereof "by".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 52, line 27, of the printed bill, strike out the comma and the word "but".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 53, line 23, of the printed bill, strike out the word "of", and insert in lieu thereof "in".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 65, line 18, of the printed bill, insert a comma after the word "account".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 77 of the printed bill, strike out lines 14 to 17, inclusive, and insert in lieu thereof "the purpose of determining to whom the property shall pass and be delivered upon final or partial termination of the trust, to the extent that such determination is not concluded by the decree of distribution, of settling the accounts and passing upon the acts of the trustee and for the other purposes hereinafter set forth. Any".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 77, line 21, of the printed bill, after the word "accounts", insert "and report his acts".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 77, line 25, of the printed bill, after the word "detail", insert "reporting his acts as trustee".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 77, line 30, of the printed bill, strike out the word "for", and insert in lieu thereof "or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 77, lines 38 and 39, of the printed bill, strike out the words "by citation, to appear and", and insert in lieu thereof "after citation, to".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 84 of the printed bill, after line 26, insert ", or to institute an action for the partition of".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 84, line 32, of the printed bill, after the comma insert "or of a petition for determination of heirship or interests in an estate, or of a petition of a trustee for instructions".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 86 of the printed bill, after line 34, insert a new section reading:
"1210. When court is held at a place other than the county seat, the posting of a notice at the building where the court is held shall be the equivalent of posting at the courthouse of the county."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 86, line 48, of the printed bill, strike out the first comma, and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 88, lines 6 and 7, of the printed bill, strike out the semicolon in line 6, and the words "distributing or partitioning", and insert in lieu thereof "or trust property should pass; distributing".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 88, line 42, of the printed bill, strike out the word "be", and insert in lieu thereof "is".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 92, after line 21, of the printed bill, insert "managing and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 92, line 34, of the printed bill, strike out the words "sufficient sureties", and insert in lieu thereof "persons or an authorized surety company as surety".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 92, line 36, of the printed bill, after the word "and", insert "twice the value of".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 92, lines 38 and 39, of the printed bill, strike out the words "a surety company authorized by law to furnish it", and insert in lieu thereof "an authorized surety company".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 92, line 52, of the printed bill, insert a comma after the word "surety".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 93, line 1, of the printed bill, strike out the word "bond", and insert in lieu thereof the word "bonds".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 94, line 9, of the printed bill, strike out the word "real".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 94, line 43, of the printed bill, strike out the word "real".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 101, line 41, of the printed bill, after the first comma, insert the following: "with a written admission or proof of such service."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 104, line 41, of the printed bill, strike out the semicolon.

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 104, line 46, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 104, line 49, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 105, line 10, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 105, line 11, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 105, line 31, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 105 of the printed bill, strike out lines 47 to 51 inclusive, and insert in lieu thereof the following: "has no interest, as allowed by law, or such funds may be deposited by the guardian with any bank which has been designated by the superintendent of banks of this state as depository for the funds of other banks, but no investment or".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 106, line 16, of the printed bill, strike out "a".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 106, line 34, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 107, line 2, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 264—An act to add new sections to the Code of Civil Procedure, to be numbered 1043 and 1044, and to amend sections 763 and 963 of said code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended in Senate March 13, 1931, after the word "part", in said line, insert "two".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, as amended in Senate March 13, 1931, after the word "an", in said line, insert "executor, administrator, guardian of an estate,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 597—An act to revise and consolidate the law relating to guardianship, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law herein revised and consolidated and herein specified; and to establish a division of the Probate Code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 20, of the printed bill, strike out the word "be", and insert in lieu thereof "is".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, after line 48, of the printed bill, insert "managing and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 9, of the printed bill, strike out the words "sufficient sureties", and insert in lieu thereof "persons or an authorized surety company as surety".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 6, line 11, of the printed bill, after the word "and", insert "twice the value of".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 6, lines 13 and 14, of the printed bill, strike out the words "a surety company authorized by law to furnish it", and insert in lieu thereof "an authorized surety company".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 27, of the printed bill, insert a comma after the word "surety".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 33, of the printed bill, strike out the word "real".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 16, of the printed bill, strike out the word "real".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9, line 21, of the printed bill, strike out the words "bank act", and insert in lieu thereof the words "Bank Act".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 9, line 25, of the printed bill, strike out the words "bank act", and insert in lieu thereof the words "Bank Act".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 15, line 6, of the printed bill, after the first comma, insert the following: "with a written admission or proof of such service,".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 18, line 2, of the printed bill, strike out the semicolon.

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 18, line 7, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 18, line 10, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 18, line 23, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 18, line 24, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 18, line 44, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 19 of the printed bill, strike out lines 9 to 13, inclusive, and insert in lieu thereof the following: "has no interest as allowed by law, or such funds may be deposited by the guardian with any bank which has been designated by the superintendent of banks of this state as depository for the funds of other banks, but no investment".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 19, line 31, of the printed bill, strike out "a".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 19, line 49, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 20, line 16, of the printed bill, strike out "act", and insert in lieu thereof the following: "chapter".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 435—An act to add a new section to the Political Code, to be numbered section 393a, providing where certain actions may be commenced and tried, and for the change of place of trial of such actions.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out everything in the printed bill after the words "An act to", and insert in lieu thereof the following: "amend section 3669c of the Political Code, relating to taxation of corporations for state purposes and to the trial of actions for the collection of state taxes.

The people of the State of California do enact as follows:

Section 1. Section 3669c of the Political Code is hereby amended to read as follows:

3669c. 1. Within ten days after the first Monday in February, the controller shall send by mail to the last known address of any company whose taxes are delinquent a notice of the amount of said taxes, penalties and costs, and that if the said taxes, penalties, and costs are not paid on or before the Saturday preceding the first Monday in March next thereafter at six o'clock p.m. of said day, the corporate powers, rights and privileges of such delinquent company, if it be a domestic corporation, will be at that time suspended and thereafter incapable of exercise, and that if the delinquent company be a foreign corporation it will thereupon forfeit its right to do intrastate business in this state. If the taxes, penalties, and costs are not paid within the time specified in said notice, the controller shall, on said Saturday preceding the first Monday in March at six o'clock p.m. of said day, mark on the record of assessments for state taxes opposite the assessment of the delinquent corporation the words "corporate powers suspended," if the delinquent corporation be a domestic corporation, and thereupon said corporate powers shall be suspended and incapable of exercise until restored as hereinafter provided; and if the delinquent corporation be a foreign corporation, the controller shall mark on the record of assessments for state taxes opposite the assessment of such delinquent corporation the words "right to do intrastate business forfeited" and thereupon said right to do such business shall be so forfeited. He shall at once report to the secretary of state the name and number of charter of each corporation whose corporate powers have been suspended or right to do business has been forfeited for nonpayment of taxes.

On or before the first Monday in April of each year the controller shall make a list of all corporations subject to the tax imposed under sections 3664a, 3664b, 3664c, and 3664d of this code and which have failed to pay the same and transmit a certified copy thereof to each county clerk and county recorder in this state. Said county clerks and county recorders shall file such certified copies in their respective offices in such manner that the same shall be preserved in the form of a permanent record of such office and easily identified by and available to the public. Said copies so certified by the controller and filed as herein provided shall in the case of each corporation state whether such corporation is a domestic or foreign corporation and specify the penalty which each corporation has incurred for failure to pay the tax imposed by this act. Such certified copies so filed with either of said county officers, or any copy thereof certified by the controller shall be received in evidence in any court in lieu of the original record on file with the controller and shall be prima facie evidence of the truth of all statements contained therein.

2. After six o'clock p.m. of the Saturday preceding the first Monday in March in any year, the corporate rights, privileges and powers of every domestic corporation which has failed to pay said tax and money penalty shall, from and after said hour of said day, be suspended, and incapable of being exercised for any purpose or in any manner, except to defend any action brought in any court against such corporation, until said tax with all accrued penalties, and all taxes and charges due the state under the corporation license act are paid as hereinafter provided. The right and privilege of every foreign corporation to transact intrastate business in this state shall, for failure to pay said tax and money penalty, be forfeited at said hour of said day, and the controller shall make a record of such forfeiture. In the case of foreign corporations such forfeiture may be relieved and the corporation's privilege to transact intrastate business in this state restored in the manner hereinafter provided. After said hour of said day and until such taxes, penalties and charges are paid, every person who attempts or purports to exercise any of the rights, privileges or powers of any delinquent corporation, or, who transacts or attempts to transact any intrastate business in this state in behalf of any forfeited foreign corporation, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not less than two hundred fifty dollars and not exceeding one thousand dollars, or by imprisonment

in the county jail not less than fifty days or more than five hundred days, or by both such fine and imprisonment. The jurisdiction of such offense shall be held to be in any county in which any part of such attempted exercise of such powers, or any part of such transaction of business was had or occurred. Every contract made in violation of this section is hereby declared to be void.

3. All corporate powers, rights and privileges suspended or forfeited may be revived and restored to full force and effect by the payment of all accrued taxes and penalties due to the state under sections 3664a, 3664b, 3664c, and 3664d of this code and also, in addition thereto, a sum of money equal to the tax last assessed under the provisions of said sections of this code, for each year succeeding the year in which such tax was levied, and to the time of such revivor. "Year" within the meaning of the preceding sentence is hereby defined as the period between the first Monday in March of any calendar year and the first Monday in March of the following calendar year. In addition to the payment of the amounts above provided for, such reviving corporation shall pay to the secretary of state that proportion of the license tax specified in section 3 of any act known as the "corporation license act," as now in force or as hereafter amended, which the unexpired number of months of the calendar year in which such revivor or reinstatement occurs (including the month in which such revivor or reinstatement occurs) bears to the entire year. Upon payment of all such taxes and penalties the state controller shall issue a certificate under his seal evidencing such payment and restoration, which certificate when recorded in the office of any county recorder shall constitute a release of all existing liens for such taxes upon the property of such corporation. Each county recorder shall keep an index of all such controller's certificates recorded by him. Upon presentation of such controller's certificate of revivor to any county clerk said officer shall make a record thereof in his office in a book kept for such purpose. The record so made by said county clerk shall be prima facie evidence of the restoration to such corporation of all previously suspended or forfeited rights, powers and privileges unless it appears from the records in the office of such county clerk or of the secretary of state that subsequent to the date of such certificate of revivor the powers of said corporation have been suspended or its right to do intrastate business forfeited.

4. The controller may, on or before the thirtieth day of April next following said delinquency and suspension or forfeiture, bring an action in a court of competent jurisdiction in the county of Sacramento in the name of the people of the State of California, to collect any delinquent taxes, together with any penalties, or costs, which have not been paid in accordance with the provisions of this code and appearing delinquent upon the record of assessments for state taxes hereinbefore mentioned, and such actions shall be tried in the county of Sacramento unless the court, with the consent of the attorney general, order a change of place of trial.

The attorney general must prosecute such action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required.

In the case of companies whose right to do business has been forfeited or corporate powers suspended, service of summons may be made upon the persons provided for by law to be served as agents or officers of any of such companies and such persons shall be deemed to be the agents of such companies for all purposes necessary in order to prosecute such action. In the case of corporations whose powers have been suspended, the persons constituting the board of directors thereof shall have the power and right to defend such action. Payment of the taxes and penalties, or amount of the judgment recovered in such action must be made to the state treasurer. In such actions the record of assessments for state taxes, or a copy of so much thereof as is applicable in said action, duly certified by the controller, or by the secretary of the state board of equalization, showing unpaid taxes against any company, person or association assessed by the state board of equalization, is prima facie evidence of the assessment upon the property and franchises, the delinquency, the amount of the taxes, penalties, and costs due and unpaid to the state, and that the company, person, or association is indebted to the people of the State of California in the amount of taxes and penalties therein appearing unpaid, and that all the forms of law in relation to the assessment and levy of such taxes have been complied with."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 261—An act to repeal chapter 172, Statutes of 1893, entitled "An act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State." approved May 23, 1893.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 262—An act to repeal chapter 663, Statutes of 1929, entitled "An act concerning the guardianship of incompetent veterans and of minor children of dependent or deceased veterans and the commitment of veterans and to make uniform the law with reference thereto," approved June 3, 1929.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 265—An act to repeal section 92, of chapter 76, Statutes of 1909, entitled "An act to define and regulate the business of banking," approved March 1, 1909.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 266—An act to amend sections 4181 and 4182 of the Political Code, relating to the duties of the public administrator.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 263—An act to amend section 138 of the Civil Code, relating to orders respecting custody and maintenance of minor children of the marriage in actions for divorce.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 447—An act to add a new section to the Civil Code to be numbered 48a, relating to libel.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 290—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 25, of the printed bill, after "by", insert "ordinance or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, after "by", insert "ordinance or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 36, of the printed bill, strike out "by resolution".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 19, of the printed bill, strike out the blank, and insert in lieu thereof the word "investment."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill, after the word "governor", insert "and who shall not be an owner, officer, director, stockholder or employee of any medical and hospital service company."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 23 and 24, of the printed bill, strike out the words "which shall cover his salary and all costs and expenses of his office."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 26, of the printed bill, after the word "created", insert "if at any time after the enactment of this law, the receipts of license fees exceed the amount necessary to defray the salary of the commissioner administering and directing the operation of said law, such amount, in excess of said salary shall be, and is hereby made available for payment of official traveling, and other operating expenses required for the enforcement of this law. The commissioner appointed to administer and enforce this law shall be the sole judge and determining source as to the necessity and amount of additional expenditures necessary for the proper enforcement of this act, subject to approval of the state department of finance".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 34, of the printed bill, insert the words "he shall adopt an official seal of his office. He may employ such clerical assistance as necessary who shall be exempt from civil service, and fix their salaries with the approval of the chief of the department. The commissioner shall meet monthly at the State Capitol with the officials named in section 375 of the Political Code and shall make reports as set forth in section 375d of the Political Code."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 37, of the printed bill, strike out the word "render", and insert in lieu thereof the word "furnish".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 46, of the printed bill, strike out the words "or beneficiaries under".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 47, of the printed bill, strike out the word "render", and insert in lieu thereof the word "furnish".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 48, of the printed bill, strike out the words "in case of sickness or accident", and insert in lieu thereof the words "in accordance with the terms and conditions thereof, excluding, however, malpractice."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 11, of the printed bill, strike out the words "interest and dividends", and insert in lieu thereof the words "coupons and dividends, when due".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 17, of the printed bill, strike out the word "contract", and insert in lieu thereof the word "contracts".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 17, of the printed bill, after the word "service", insert the words "as heretofore provided in this section".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 21, of the printed bill, after the word "obligations", insert the words "to its members under its membership contracts".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 37, of the printed bill, strike out the word "surety".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 37, of the printed bill, after the word "California", insert "by two or more sureties approved by a judge of the superior court in and for the county or city and county in which the bond shall be executed, or".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, line 41, of the printed bill, strike out the word "render", and insert in lieu thereof the word "furnish".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 2, of the printed bill, strike out the word "sixty", and insert in lieu thereof the word "thirty".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 4, of the printed bill, strike out the word "sixty", and insert in lieu thereof the word "thirty".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 6, of the printed bill, strike out the word "sixty", and insert in lieu thereof the word "thirty".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 8, line 18, of the printed bill, strike out the words "from which fund", and insert in lieu thereof the words "which fund is hereby created and is hereby appropriated to pay".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 8, line 19, of the printed bill, strike out the words "shall first be defrayed".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 9 of the printed bill, lines 38 to 43, inclusive, strike out "There is hereby appropriated out of any moneys in the state treasury not otherwise appropriated, the sum of five hundred dollars, or as much thereof as may be necessary, to be expended in providing for the original installation of an office, purchase of furniture and equipment, printed matter, stationery and forms", and insert in lieu thereof the words: "If any section, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, sentences, clauses or phrases be declared unconstitutional".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 2, line 1, of the printed bill, after the semicolon following the word "illness", insert the following words: "nor to any mutual or cooperative medical or hospital service company or association whose primary object is not for the purpose of making profits;".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 522—An act to amend section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, change "section" to "sections"; after "3692", add "and 3693".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 9 to 27, of the printed bill, strike out all language beginning with "Said board may visit", and ending with "duly authorized representative."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, lines 1 to 3, of the printed bill, strike out all of paragraph number 3 and insert in lieu thereof the following:

"3. To prescribe and enforce the use of all forms for the assessment of property for taxation, and the collection of taxes thereon, in this state and the counties thereof."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 3, of the printed bill, following "state.", add:

"4. To prepare and issue instructions to assessors designed to promote uniformity throughout the state and the counties thereof in the assessment of property for the purposes of taxation; to adapt such instructions to varying local circumstances and to differences in the character and conditions of property subject to taxation as in the judgment of the board shall be deemed necessary to attain such uniformity.

5. To summon assessors to meet with the board or its duly authorized representatives at least once each year, at such place or places within the state as may be designated by the board, for the purpose of the discussion of the problems of administration of assessment and taxation laws and to promote uniformity of procedure in tax matters throughout the state. The expenses of any county assessor attending such sessions shall be a charge against the funds of his county to be paid in the same manner as other county charges are paid.

6. To instruct, advise and direct assessors and tax collectors as to their duties under the laws of the state and, in such cases as the board may deem necessary, to obtain the opinion of the attorney general upon any questions of law relating to such duties."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 4, of the printed bill, strike out "4", and substitute in lieu thereof "7".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, lines 14 to 26, of the printed bill, strike out all of the paragraphs numbered five and six, and insert in lieu thereof the following:

"8. To meet at the state capital on the first Monday in August and to remain in session from day to day, holidays excepted, up to and including the third Monday in August; during such session, after notification to the clerk of the board of supervisors of the county affected, under such rules of notice as the state board of equalization may prescribe, to increase or lower the entire assessment roll of any county so as to equalize the assessment of property within the state."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 27, of the printed bill, strike out "7", and substitute in lieu thereof "9".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 31, of the printed bill, after "the", insert "state".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, lines 34 to 38, of the printed bill, strike out all of the paragraph numbered eight, and insert in lieu thereof the following:

"10. To inspect either as a board, individually or by its duly appointed representative or representatives, the work of any county officers whose duties relate to the assessment of property for taxation and the collection of taxes; to require such officers to produce any public records in their custody, and to give testimony with reference to such matters of assessment and tax collecting as may be deemed useful to the board in its investigations."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 39, of the printed bill, strike out "9", and substitute in lieu thereof "11".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 43, of the printed bill, strike out "10", and substitute in lieu thereof "12".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, lines 44 and 45, of the printed bill, strike out "The secretary shall hold his office during the pleasure of the board.", and insert in lieu thereof "Said secretary shall serve for such period and such compensation as the board may prescribe."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 2, line 46, of the printed bill, strike out "11", and substitute in lieu thereof "13".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 9, of the printed bill, strike out "12", and substitute in lieu thereof "14".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, line 10, of the printed bill, strike out "13", and substitute in lieu thereof "15".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 3, lines 11 and 12, of the printed bill, strike out "railroad company, the assessment of which is to be made", and insert in lieu thereof "person, firm, association or corporation subject to assessment".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 3, line 13, of the printed bill, strike out "company", and insert in lieu thereof "person, firm, association or corporation".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 15, of the printed bill, strike out "company", and insert in lieu thereof "person, firm, association or corporation".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 3, line 18, of the printed bill, strike out "company", and insert in lieu thereof "person, firm, association or corporation".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 3, lines 19 and 20, of the printed bill, strike out "14", and substitute in lieu thereof "16"; strike out "railroad companies", and insert in lieu thereof "persons, firms, associations or corporations".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 3, line 23, of the printed bill, strike out "company", and insert in lieu thereof "such person, firm, association or corporation".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 3, line 25, of the printed bill, strike out "15", and substitute in lieu thereof "17"; strike out "railroad company", and insert in lieu thereof "person, firm, association or corporation".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 3, line 37, of the printed bill, after "onment," add the following:
"SEC. 2. Section 3693 of the Political Code is hereby amended to read as follows:
3693. Whenever the board of supervisors of any county or city and county shall determine that, in order to equalize the assessment of taxable property within the county or city and county, an appraisal or reappraisal of such property, or any class thereof, is required, such determination shall be certified by the clerk of the board to the state board of equalization. Thereupon the county assessor, the chairman of the board of supervisors and the member of the state board of equalization from the district within which the county or city and county is situate, shall constitute a commission to conduct the work of appraising or reappraising the taxable property, or any class thereof, within the county or city and county. Save as assessments of property may be made by an assessor or his duly constituted deputy or deputies or as valuations may be made of individual parcels of property by a county board of equalization during its regular session in the month of July or extensions thereof as authorized by the state board of equalization, no property shall be valued or appraised for the purposes of taxation under authority of any county or city and county except in the manner prescribed by this section.

To carry out the purposes of this section the commission composed of the county assessor, the chairman of the board of supervisors and the member of the state board of equalization shall be empowered to employ, subject to the approval of the board of supervisors, such technical assistants as said commission shall deem necessary, but no contract shall be made with any person, firm, association or corporation by which the duty of conducting such work of appraisal or reappraisal shall be delegated

to any private interests. No person employed hereunder shall be or shall be considered to be an additional deputy or assistant of any county assessor, but all work done hereunder shall be in furtherance of the power of the county board of equalization to equalize assessments. The board of supervisors of any county or city and county in which such a commission shall function are hereby authorized and empowered to make such appropriation or appropriations of the funds of said county or city and county as may be necessary to meet the expenses of the work of the appraisal or reappraisal of the taxable property or any class thereof within the county or city and county."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 438—An act to add four new sections to the Political Code, to be numbered 690*a*, 690*b*, 690*c*, and 690*d*, relating to the Division of Land Settlement and the State Department of Finance.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the Water Commission Act, approved June 16, 1913, as amended, by amending section 36*f* thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36*g*, relating to modification of court decrees as to quantities of water awarded.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "amended", insert the words "to read".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 26, of the printed bill, strike out the words "in suits for", and insert in lieu thereof the words "for the".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 27, of the printed bill, after the word "whether", insert the word "in".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 29, of the printed bill, strike out the following: "the water commission act, or", and insert in lieu thereof the followings: "this act, or in".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 31, of the printed bill, strike out the words "said water commission", and insert in lieu thereof the word "this".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 31, of the printed bill, strike out the words "or other suits for determination", and all of line 32 to and including the word "superior", and insert in lieu thereof the word "the".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 773—An act to amend chapter 287, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts," approved June 13, 1913, as amended, by chapter 758, Statutes of 1929, by amending sections 2, 2b, 2d, 4, 5, 6, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts and the election, appointment, qualifications, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; supervision of county boards of supervisors thereover, the assessment, fixing of rate and levy of taxes therefor; issuance, approval, and sale of bonds; receipt and disposition of moneys; annexation and exclusion of lands; the office of the district; the securing, use and disposition of water for irrigation purposes and the irrigation of lands therein; and obtaining, maintaining, use and construction of irrigation works.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 41, of the title of the printed bill, strike out the word "tax", and insert in lieu thereof the word "taxes".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 47, of the title of the printed bill, strike out the word "thereover", and insert in lieu thereof the word "thereof".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 50, of the title of the printed bill, strike out the words "land; the fees", and insert in lieu thereof the following: "lands; the office".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 7, line 17, of the printed bill, after the word "directors", add the words "tax collector, treasurer".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 9, line 5, of the printed bill, after the word "appointment", strike out the dash.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 12 of the printed bill, strike out lines 19 to 24, inclusive, and insert in lieu thereof the following: "filed with said tax collector as above provided."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 15 of the printed bill, strike out lines 47 and 48, and insert in lieu thereof the following: "rate of interest proposed. Of two-thirds of the votes cast".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 16 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"Sec. 12. Section 14 of said act is hereby".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 18, line 3, of the printed bill, after the word "amended", add the word "to".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 18, line 27, of the printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 23, line 19, of the printed bill, between the words "petitioner," and "description", strike out the word "the", and insert in lieu thereof the word "a".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 25—An act to amend sections 851, 852, 852a, 853, 854, 855, 857, 858, 859, 860, and 861 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in Assembly March 10, 1931, strike out line 2 of the title, and insert in lieu thereof the following: "858, 859, 860, 861 and 862 of an act".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 6, insert after line 25, of the printed bill, as amended in Assembly March 10, 1931, the following:

"Sec. 12. Section 862 of the act cited in the title hereof is hereby amended to read as follows:

Sec. 862. The council of said city or town shall have power:

1. To pass ordinances not in conflict with the constitution and laws of this state or of the United States.

2. To purchase, lease, or receive such real estate situated inside or outside of the city limits and personal property as may be necessary or proper for municipal purposes, and to control, dispose of, and convey the same for the benefit of the city or town; *provided*, they shall not have power to sell or convey any portion of any water front.

3. To contract for supplying the city or town with water for municipal purposes, or to acquire, construct, repair, and manage pumps, aqueducts, reservoirs, or other works necessary or proper for supplying water for the use of such city or the inhabitants, or for irrigating purposes therein.

4. To establish, build, and repair bridges; to acquire by purchase or otherwise lands for squares, parks, playgrounds and places within the city or town, and to improve, equip and maintain the same; to establish, lay out, alter, keep open, improve, and repair streets, sidewalks, alleys, tunnels, and other public highways, and to drain, sprinkle, oil, and light the same; to remove all obstructions therefrom; to establish the grades thereof; to grade, pave, macadamize, gravel, and curb the same, in whole or in part, and to construct gutters, culverts, sidewalks, and crosswalks therein, or on any part thereof; to cause to be planted, set out, and cultivated, shade trees therein; and generally to manage and control all such highways, tunnels, and places; and in the exercise of the powers herein granted to expend, in their discretion, the ordinary annual income and revenue of the municipality in payments of the costs and expenses of the whole or any part of such work or improvement.

4a. To acquire property required for the opening and laying out of any street, alley, lane or tunnel from the point where the continuity of such street, alley, lane or tunnel ceases, to the point where such street, alley, lane or tunnel again commences; to lay out and improve said street, alley, lane or tunnel; and to pay the cost and expense incurred in the acquisition of the required property out of the general fund of the city or town.

5. To construct, establish, and maintain drains and sewers.

6. To provide fire engines and all other necessary and proper apparatus for the prevention and extinguishment of fires.

7. To impose on and collect from every male inhabitant between the ages of twenty-one and sixty years, an annual street poll tax, not exceeding two dollars; and no other road poll tax shall be collected within the limits of the city.

8. To impose and collect an annual license not exceeding two dollars on every male dog, and four dollars on every female dog owned or harbored within the limits of the city.

9. To levy and collect annually a property tax, which shall not, without the assent of two-thirds of the qualified electors of such city or town voting at an election to be held for that purpose exceed one dollar on each one hundred dollars; *provided*, however, that in cities or towns which have constructed or may hereafter construct embankments, sea walls, or other works to protect such cities from overflow, said council may levy and collect annually a property tax which shall not exceed twenty cents on each one hundred dollars, which, when collected, shall be kept in a separate fund and used for the construction and maintenance of embankments, sea walls, or other works to protect such city from overflow and for no other purpose.

10. To license, for the purpose of revenue and regulation, all and every kind of business authorized by law and transacted and carried on in such city or town, and all shows, exhibitions, and lawful games carried on therein; to fix the rates of license tax upon the same, and to provide for the collection of the same by suit or otherwise.

11. To improve the rivers and streams flowing through such city or town or adjoining the same; to widen, straighten, and deepen the channels thereof, and to remove obstructions therefrom; to acquire and improve public mooring places for water craft; to improve the water front of the city or town; including the ocean

front thereof, and to build and construct breakwaters, jetties and sea wall; to construct and maintain embankments and other works, to protect such city or town from overflow; and to acquire, own, construct, maintain, and operate on any lands bordering on any navigable bay, lake, inlet, river, creek, slough, or arm of the sea within the corporate limits of such city or town or contiguous thereto, wharves, chutes, piers, breakwaters, bathhouses and life-saving stations.

12. To erect and maintain buildings for municipal purposes, and to acquire and maintain cemeteries, situated outside or inside of said city.

13. To acquire, own, construct, maintain and operate bus lines, street railways, steam railway spur tracks, telephone and telegraph lines, gas and other works for light, power and heat; public libraries, museums, gymnasiums, parks, and baths, and to grant franchises for the construction of public utilities as they may deem proper, the laying of railroad tracks and the running of cars drawn by horses, steam, or other power thereon, and the laying of gas and water pipes in the public streets, and to permit the construction and maintenance of telegraph and telephone lines therein.

14. To impose fines, penalties, and forfeitures for any and all violations of ordinances; and for any breach or violation of any ordinance; to fix the penalty by fine or imprisonment, or both; but no such fine shall exceed three hundred dollars, nor the term of imprisonment exceed three months.

15. To cause all persons imprisoned for violation of any ordinance to labor on the streets, or other public property, or works within the city or town.

16. To establish and maintain fire limits, and regulate building and construction and removal of buildings within the municipality.

16a. To regulate the construction of and the materials used in all buildings, chimneys, stacks and other structures; to regulate the erection, construction, reconstruction, conversion, repair or alteration of any building or buildings, as provided in section 84 of the state housing act; to prevent the erection and maintenance of insecure or unsafe building walls, chimneys, stacks, or other structures, and to provide for their summary abatement, destruction or removal; to provide for the abatement, destruction or removal of unsightly or partially destroyed buildings; to regulate the materials used in and the method of construction of foundations and foundation walls, the manner of construction and location of drains and sewers, the materials used in wiring buildings or other structures for the use of electricity for lighting, power, heat or other purposes and materials used for piping buildings or other structures for the purpose of supplying the same with water, gas or electricity, and the manner of so doing; to prohibit the construction of buildings and structures which do not conform to such regulations.

16b. To regulate the exhibition, posting or carrying of banners, placards, posters, cards, pictures, signs or advertisements in or on the street, or on or upon buildings, fences, billboards or other structures; or on or upon any pole in any sidewalk, alley, street, lane, court, park or other public place; to regulate the suspension of banners, flags, signs, advertisements, posters, pictures, or cards across or over any sidewalk, alley, street, lane, court, park, or other public place, or such suspension from fences, poles, houses, or other structures; to prohibit and prevent encroachments upon or obstruction in or to any sidewalks, street, alley, lane, court, park or other public place, and to provide for the removal of such encroachment or obstruction.

16c. To compel the owner, lessee, or occupant of buildings, grounds, or lots to remove dirt, rubbish, weeds and rank growths from the sidewalk opposite thereto, and from the buildings or grounds, and on his default, after such notice as the council may prescribe, to authorize the removal or destruction thereof by some officer of the city at the expense of such owner, lessee or occupant, and by such procedure as the council may prescribe, to make such expense a lien upon such buildings or grounds.

17. To issue subpoenas for the attendance of witnesses, or the production of books or other documents, for the purpose of producing evidence or testimony in any action or proceeding pending before the council, which subpoenas must be signed by the mayor, and attested by the city or town clerk and may be served in the same manner as subpoenas are served in civil actions. Whenever any person duly subpoenaed to appear and give evidence, or to produce any books or any documents as herein provided, shall neglect or refuse to appear, or to produce such books or documents, as required by such subpoena, or shall refuse to testify before such council, or to answer any questions which a majority thereof shall decide to be proper and pertinent, it shall be the duty of the mayor to report the fact to the judge of the superior court of the county, who shall thereupon issue an attachment in the form usual in the court of which he shall be judge, directed to the sheriff of the county where such witness was required to appear and testify, commanding the said sheriff to attach such person, and forthwith bring him before the judge by whose order such attachment was issued. On the return of the attachment and the production of the body of the defendant, the said judge shall have jurisdiction of the matter, and the person charged may purge himself of the contempt in the same way, and the same proceedings shall be had, and the same penalties may be imposed, and the same punishment inflicted as in the case of a witness subpoenaed to appear and give evidence on the trial of a civil cause before a superior court.

18. To expend such sum as the council shall deem proper, not to exceed five per cent of the property tax levy in any one fiscal year, for music and promotion.

19. To accept such contributions of money, each contribution to be at least fifty dollars (\$50), as may be tendered them, to be held in trust, the income from which to be used for the perpetual care and upkeep of a designated plot or plots in the local city and/or community cemetery; said contributions to be placed in the city or town treasury in a fund designated as "the cemetery fund." The council shall appoint the city or town clerk or any competent resident of the city to administer said fund, the person so appointed to execute an official bond in the amount of a sum prescribed by said council, and to receive annually one dollar for each plot cared for, said expenditure to be made only from the income of said fund. Any moneys remaining in said fund after the expenditures for care and upkeep of the designated plot or plots and the payment to the person administering said fund shall be used in the care and upkeep of the roads, walks or other portions of the cemetery.

If the city or town should at any time disincorporate, the trust fund shall be turned over to the board of supervisors of the county within which the cemetery is located, in which event said board of supervisors shall act as trustees until such time as they may appoint some suitable organization to take charge of the fund.

20. To do and perform any and all other acts and things necessary or proper to carry out the provisions of this act."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after the word "March", strike out the figure "18", and insert in lieu thereof the figure "13".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 16, of the printed bill, after the word "the", strike out the word "recorder", and insert in lieu thereof the word "judge".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 24—An act to amend sections 868, 870, 871, 872, 873, 874, 875, 876, 878, 879, 880, 881, 882, 883, and 884 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 704—An act to amend section 4300½ of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1039—An act providing for the appointment of an additional notary public for the City and County of San Francisco for the accommodation of the inhabitants of said city and county residing at the Presidio of San Francisco.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1049—An act to amend section 1714½ of the Civil Code, relating to negligence on the part of State officers, agents and employees of the State, counties, cities and counties, municipal corporations, the State Compensation Insurance Fund, irrigation districts, school districts, districts established by law and political subdivisions of the State, and authorizing the issuance of insurance covering such liability.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 561—An act to amend sections 224, 224^m and 226 of the Civil Code, relating to adoption.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 561 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagye—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MINUTE CLERK HAROLD J. POWERS AT THE DESK.

Senate Bill No. 560—An act to amend section 15 of the Juvenile Court Law, relating to persons free from parental control.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 560 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

POSTPONEMENT OF RECONSIDERATION.

Senator Tubbs asked unanimous consent to have the reconsideration of the vote by which Senate Bill No. 169 was passed, postponed until the next legislative day.

Unanimous consent refused by Senator McKinley.

RECONSIDERATION WAIVED.

Senator Tubbs then waived his notice to reconsider the vote whereby Senate Bill No. 169 was passed.

Senate Bill No. 169 ordered transmitted to the Assembly.

Senate Bill No. 421—An act to amend section 363ⁱ of the Political Code, relating to the supervision of ports by the Department of Public Works, and to repeal sections 2584, 2586, 2589, 2590 and 2607 of the Political Code, relating to the Board of State Harbor Commissioners for the bay of San Diego, and to the San Diego Harbor Improvement Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 421 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Maloney, McCormack, McKinley, Mixer, Moran,

Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 89—An act to amend section 15 of chapter 755 of the Statutes of 1915, entitled Los Angeles County Flood Control Act, approved June 12, 1915, as amended, relating to contracts for work, materials and supplies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 89 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Wagy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 717—An act to amend sections 4005^c and 4006 of the Political Code, relating to the population and classification of counties, and declaring same an urgency measure.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 717 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Slater, Tubbs, and Wagy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 595—An act to amend section 694^h of the Political Code, relating to the State Board of Agriculture.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 595 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Clock, Deuel, Duval, Edwards, Fellom, Harper, Inman, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Tubbs, and Wagy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 169—An act to amend section 900 of the Code of Civil Procedure, relating to the lien of judgments rendered in justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 169 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, and Wagye—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 399—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of providing official documents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 399 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Deuel, Edwards, Evans, Hays, Inman, Jones, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, and Wagye—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 962—An act to amend section 818 of the Penal Code, relating to the issuance of warrants.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 962 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagye, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 963—An act to amend section 1600 of the Penal Code, relating to the confinement of prisoners by the sheriff.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 963 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Deuel, Edwards, Evans, Harper, Ingels, Inman, Jones, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagye, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 7—An act establishing certain additional State highways and classifying them as secondary highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 7 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Clock, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, and Wagye—24.

NOES—Senator Williams—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to amend sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430, inclusive, and new sections to be numbered 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 853 to Senator Inman, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 18, of the printed bill, after the word "school", insert a comma and the following: "or satisfactory part-time classes maintained by other agencies,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 853, with instructions to amend, respectfully reports the same back, amended as per instructions.

INMAN, Committee.

Report read, and on motion of Senator Jones, adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 376—An act defining building loans and providing for recording a statement of the condition of title and the arrangements for financing of the proposed construction or improvements on real property, providing for the clearing of said record, and providing for the punishment of the violation of the terms thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—17; committee vote: Ayes—11; absent—6.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 376 were read, and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "recording", and insert in lieu thereof the following: "filing".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "or", after the word "construction", and insert in lieu thereof the following: "of".

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, strike out "or", before "advanced", and insert after the word "advanced", in said line, the following: "or rendered".

AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, after the comma after the word "property", insert the following: "or collected upon the improvement thereon".

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, after the period in said line insert the following: "Consideration is to be deemed as paid, furnished, advanced or rendered under the terms of this act only when it has been either wholly delivered into the unrestricted possession or control of the borrower, or paid out or delivered toward the satisfaction of an obligation of the borrower."

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out lines 12 to 24, inclusive, and on page 2, strike out lines 1 to 20, inclusive, and insert in lieu thereof the following:

"Sec. 2. No owner or other person in possession of real property which is subject to the lien of a building loan, as hereinabove defined, shall begin an improvement thereon in the construction, alteration, addition to or repair, either in whole or in part, of any building or structure, or any grading or any work of improvement upon said lot, parcel or tract of land, unless said owner or such other person in possession of said real property, or representative who has knowledge of the facts, shall have filed within ten days next immediately preceding the beginning of said improvement, in the office of the county clerk of the county wherein said land is situated, a written statement to be termed a notice of terms of building loan, verified by the oath of the owner or person in possession or said representative, setting forth the following facts: the legal description of the real property upon which it is proposed to make said improvement, the name and address of the person who proposes to make said improvement, the name and address of the record owner, if known by said person who proposes to make said improvement, the general character of the proposed improvement, the amount which is proposed to be expended thereon, a statement that the property is encumbered by a building loan, as hereinabove described, the name and address of the person who has made or agreed to make said building loan, the actual amount and character thereof, and a statement of the actual terms and conditions under which said building loan will be available, and the place where said funds or other consideration involved in said loan will be paid, furnished, rendered or advanced, together with a statement also as to whether or not any portion of said funds or other consideration have already been paid, furnished, rendered or advanced, and if so, the amount already so paid, furnished, rendered or advanced, and the amount remaining available for building construction purposes. The county clerk shall charge fifty (50) cents for filing the notice required by this section and also for any notice filed under the provisions of section 3 of this act, and shall index the same according to name of owner and of person in possession as therein referred to."

AMENDMENT NUMBER SEVEN.

On page 2, lines 21 and 22, of the printed bill, strike out "of any improvement", and insert in lieu thereof the following: "or person in possession".

AMENDMENT NUMBER EIGHT.

On page 2, line 23, of the printed bill, after "owner", and before the comma, insert the following: "or person in possession".

AMENDMENT NUMBER NINE.

On page 2, line 24, of the printed bill, strike out "of intention to improve real property", and insert in lieu thereof the following: "terms of building loan".

AMENDMENT NUMBER TEN.

On page 2, line 25, of the printed bill, strike out "recorded", and insert in lieu thereof the following: "filed".

AMENDMENT NUMBER ELEVEN.

On page 2, line 28, of the printed bill, strike out "recorded", and insert in lieu thereof the following: "filed".

AMENDMENT NUMBER TWELVE.

On page 2, line 29, of the printed bill, strike out "recorded", and insert in lieu thereof the following: "filed".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 31, of the printed bill, strike out "of said intention to improve", and insert in lieu thereof the following: "terms of building loan".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 32, of the printed bill, strike out "recorded", and insert in lieu thereof the following: "filed".

AMENDMENT NUMBER FIFTEEN.

On page 2, lines 34 and 35, of the printed bill, strike out "recording of such notice of intention to improve real property", and insert in lieu thereof the following: "filing of such notice of terms of building loan".

AMENDMENT NUMBER SIXTEEN.

On page 2, strike out lines 43 to 45, inclusive, of the printed bill, and insert in lieu thereof the following:

"Sec. 5. Any person, firm or corporation who shall begin any improvement referred to in section 2 of this act without first having filed the notice therein provided to be filed or who shall knowingly make or procure to be made or filed a false statement required to be filed under the terms of this act or who shall conspire with another to make such false statement or to file the same shall be guilty of a misdemeanor and shall be punished in accordance with the provisions of law as elsewhere provided."

Bill ordered to print, and re-referred to Committee on Judiciary.

ADJOURNMENT.

At twelve o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, March 23, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, March 23, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—39.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 20, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Cassidy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lincoln Union High School, Placer County, California, Miss Gertrude Bolton, teacher, and pupils as follows: Lila Kaneko, Hilda Mae Willis, Louis Abel Pemberton, Ranous Jewell, Dolly Kirkman, Ruth Midgely, Gretta Ahart, Ted Barnes, Charles Barnes, Agnes Blair, Eileen Coe, Alberta Moore, Carl Berg, Kathryn Huntton, George Martin, Fontella Call, Evelyn

Jordan, Margaret Beerman, Bowman Carmichael, Meeko Asazawa, Ira Briggs, Vesta Mandeville, Jay Schroeder, James Schroeder, Melvin Anderson, Herbert Fowler, Irene Culbertson, Esther Morelli, Agnes Blair, Anita Mansell, Virgil Smith, Phyllis Ramsey, Vernon Brown, Gladys Goodenough, Evelyn Jordan, Lucille Kuykendahl, Louis Hansen, Laura Robinson, Jessie Hansen, Billy Slater, Frank Bauquier, Merton Williams, Woodrow Stephenson, Robert Bannister, Donald Arndt, John Wallace, Delbert Dowd, Adolfo Rivas, George Prescott, Edward Grey, Menico Ossola, Wenonah Schuler, Barlie Ferrero and Iris Schroeder.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to David Lubin School, Ethel L. Shattuck, teacher, and pupils as follows: Ted Chester, Elon Holman, Billie Thomas, Clinton Scarich, Jacqueline Parkinson, Jane Monteverde, Gregg Scott, William Riechel, Kneeland Lobner, Allen Lynn, Rose Aronson, Isa Grace Young, Patricia Parrott, Eloise Hornstein, Ruth Tetlaw, Janet Stoddart, Eleanor Blair, Eleanor Jacob, Marguerite Ward, Barbara Endsinger, Martha Rogers, Blanche Herts, Betty Thomas, Nancy Jane Krebs, June Peterson, Noel Olmstead, Raymond Young, Basil Holmes, and Herman Thomas.

On request of Senator McKinley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fred Volpp and Paul Wittstein.

On request of Senator Mixer, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. H. B. McClure, attorney of Visalia, and Mr. Ford A. Chatters, publisher, of Lindsay, California.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Captain T. Virgil Butts, tax collector of Sonoma County.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. R. Thornton, sheriff of Solano County, Paul Wetmore and R. L. Beasley of Benicia.

On request of Senator Edwards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. L. Hackett, K. E. Watson, and J. F. Craemer.

On request of Senator Cleveland, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Thomas and Mrs. Alice Dixon.

On request of Senator Cassidy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to G. W. Neubourg, general agent of Western Pacific Railroad, and A. E. Falck of Los Gatos.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Stanford Junior High School, Mrs. E. H. Francis, teacher, and pupils as follows: Delos Carpenter, Earl Casler, Donna Davis, Jean Harrold, Phillip Jenkins, Don Lewis, Myrtle Matranga, Joe Meyer, Mary Moinalfi, Sylvia Paa-vola, Wilfred Penfold, Leonard Robinson, Carmen Russell, Lois Russell, Robert Scott, Josephine Seal, Mavis Seaton, Muriel Stoner, William Stubblefield, Everett Trezise, Helen Woodard, and Ralph Dreman.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 19th passed Assembly Bill No. 300—An act to amend section 117 of the Political Code, relating to congressional districts;

Also: Assembly Bill No. 301—An act to amend section 78 of the Political Code, relating to senatorial and assembly districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 300 and 301 read first time, and referred to Committee on Reapportionment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 73—An act to amend section 7 of chapter 361, Statutes of 1915, entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding on the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915;

Also: Senate Bill No. 79—An act to amend section 626d of the Penal Code, relating to the protection of game;

Also: Senate Bill No. 166—An act to amend section 470 of the Civil Code, relating to the use of streets and public land or water within incorporated cities or towns;

Also: Senate Bill No. 171—An act to add a new section to the Penal Code to be numbered 636c, relating to the protection of fish;

Also: Senate Bill No. 186—An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways and roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 261—An act to repeal chapter 172, Statutes of 1893, entitled "An act to provide for the appointment of guardians of children maintained in any orphans home or orphan asylum in this State," approved May 23, 1893;

Also: Senate Bill No. 262—An act to repeal chapter 663, Statutes of 1929, entitled "An act concerning the guardianship of incompetent veterans and of minor children of dependent or deceased veterans and the commitment of veterans and to make uniform the law with reference thereto," approved June 3, 1929;

Also: Senate Bill No. 263—An act to amend section 138 of the Civil Code, relating to orders respecting custody and maintenance of minor children of the marriage in actions for divorce;

Also: Senate Bill No. 264—An act to add new sections to chapter VII of title XIV of part II of the Code of Civil Procedure to be numbered 1043 and 1044, relating to the appointment and qualification of executors, administrators, guardians, assignees, receivers, depositaries and trustees;

Also: Senate Bill No. 265—An act to repeal section 92 of chapter 76, Statutes of 1909, entitled "An act to define and regulate the business of banking," approved March 1, 1909;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 266—An act to amend sections 4181 and 4182 of the Political Code, relating to the duties of the public administrator;

Also: Senate Bill No. 345—An act to amend section 2 of chapter 591, Statutes of 1915, entitled "An act to create a reclamation district to be called 'Reclamation District No. 1660,' and providing for the control and management thereof";

Also: Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs;

Also: Senate Bill No. 403—An act to provide for the inspection and certification of liquid eggs, frozen eggs and dried eggs and any other egg products produced in the State of California and within the United States and imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with respect thereto, and to provide penalties for violations of the provisions of this act;

Also: Senate Bill No. 438—An act to add four new sections to the Political Code, to be numbered 690a, 690b, 690c, and 690d, relating to the Division of Land Settlement and the State Department of Finance;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 447—An act to add a new section to the Civil Code to be numbered 48a, relating to libel;

Also: Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation district bonds now or hereafter issued or outstanding;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 672—An act providing suspension of the certificates of authority of insurance companies whose officers refuse to answer questions propounded at the taking of depositions—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—9; absent 7.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Judiciary, the following amendment to Senate Bill No. 672 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"Section 1. Whenever, in an action on an insurance contract, against an insurer".

Bill ordered to print, and re-referred to Committee on Judiciary.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:
By Senator Evans:

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 4041.21 of the Political Code, relating to the powers of boards of supervisors.

Request referred to Committee on Rules.

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with Senator Riley's resolution, relative to the appointment by the Senate of a committee of five members to investigate the matters in dispute between the city of Los Angeles and some residents of Inyo and Mono counties, the President announced the appointment of Senators Allen, Baker, Cassidy, Edwards and McCormack.

REPORT OF JOINT COMMITTEE.

The report of the Joint Committee of the Senate and Assembly dealing with the water problems of the State was submitted to the Senate by Senator Crittenden.

Report of the Joint Water Committee ordered printed in separate document, and to appear in the Appendix to Senate Journal.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 437—An act to amend sections 4383 and 4384 of the School Code.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, add the following as a paragraph:

"FORM:

(High) (Primary) (Elementary) School Budget
(Strike out words not applicable)

Budget for _____ school district in _____ county,
State of California.

To the County Superintendent of Schools of _____ County, State of California:

By order of the governing board of _____ school district
made at a regularly held meeting on _____ 19____, the undersigned
were instructed to submit the following budget for the school year ending June, 19____.

Total Proposed Expenditures.

	Expended for Year 19__-19__	Estimated for Year 19__-19__
1. General control _____	\$ _____	\$ _____
2. Teachers' salaries _____	_____	_____
3. Other expenses of instruction _____	_____	_____
4. Library _____	_____	_____
5. Operation of school plant _____	_____	_____
6. Maintenance of school plant _____	_____	_____
7. Fixed charges _____	_____	_____
8. Capital outlays _____	_____	_____
9. Auxiliary agencies and sundry activities _____	_____	_____
10. Total _____	\$ _____	\$ _____

NOTE.—The various items to be considered under the above headings are noted in detail in the following; the sequence of headings is different, the arrangement above being in harmony with the U. S. Bureau of Education; that below being planned on the basis of the fund provisions of law.

Part I. Teachers' Salaries.

2. Teachers' salaries

A. Salaries of teachers	\$
B. Salaries of principals and supervisors .....	.....
Total teachers' salaries	\$

Part II. Other Maintenance Expenditures.

1. General control

A. Expenses of school elections to be incurred by district	\$
B. Salaries of members of city boards of education .....	.....
C. Salaries, supplies and other expenses of office of secretary of city board of education or clerk of board of trustees .....	.....
D. Expenses of trustees at trustees' institute .....	.....
E. Expenses of superintendents and school principals at official conventions or while on official business .....	.....
F. Salaries, supplies and other expenses of superintendent's office (district and city superintendents only) .....	.....
G. Expenses of census enumeration and attendance officers .....	.....

3. Other expenses of instruction

A. Cost of supplies used in instruction .....	.....
B. Clerical service for instructional officers .....	.....
C. Miscellaneous expenses of instruction (including payments and transfers to other schools or districts for tuition only as authorized by law) .....	.....

4. Library

A. Cost of books, supplementary and library .....	.....
B. Salary of librarian .....	.....
C. Expenses of book repairs and replacements .....	.....
D. Other expenses of library .....	.....

5. Operation of school plant

A. Wages of janitors, engineers, gardeners, etc. ....	.....
B. Fuel, water, light and power .....	.....
C. Janitors' supplies .....	.....
D. Care of grounds .....	.....
E. Miscellaneous expenses of operation .....	.....

6. Maintenance of school plant

A. Upkeep of grounds (repair of playground apparatus, etc.) ..	.....
B. Repair of buildings .....	.....
C. Repair and replacement of heating, lighting and plumbing equipment .....	.....
D. Repair and replacement of apparatus to be used in instruction .....	.....
E. Repair and replacement of furniture .....	.....
F. Repair and replacement of other equipment

7. Fixed charges

A. Rents and insurance
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9. Auxiliary agencies and other sundry activities

A. Salaries of school physicians, dentists, nurses and other health inspectors
B. Other expenses of health service .....	.....
C. Expenses for transportation of pupils .....	.....
D. Expenses for cafeteria .....	.....
E. Expenses for community lectures and community social centers ..	.....
F. Expenses for recreation .....	.....
G. Other expenses for auxiliary agencies .....	.....

Total

Part III. Capital Outlays and Permanent Improvements.

8. Capital outlays

A. Money to be expended for purchase of land	\$
B. Expenses for new buildings .....	.....
C. Expenses for improvement of grounds .....	.....
D. Expenses for alteration and repair of buildings .....	.....
E. Expenses for new furniture .....	.....
F. Expenses for new instructional apparatus .....	.....
G. Expenses for other new equipment .....	.....

Total

President of city board of education

or

chairman of school board

Secretary of city board of education

or

clerk of school board

To the board of supervisors of _____ county :

I herewith submit with my approval the budget of _____ school district together with the following statement of the estimated income for said district for the ensuing school year.

	Teachers' Salaries Only	Other Maintenance Expenditures	Capital Outlays and Permanent Improvements	Total Teachers' Salaries and Maintenance Expenditures
A. Estimated balances in various funds, July 1, 19____, (school board insert)-----				
B. Estimated receipts from state (Co. Supt. insert)-----				
C. Estimated receipts from county (Co. Supt. insert)-----				
D. Estimated receipts from U. S. for Indian pupils (Co. Supt. insert)-----				
E. Estimated receipts from other sources—Rentals, etc. (school board insert)-----				
F. Estimated receipts from sale of bonds (school board insert)---				
G. Total estimated receipts from all sources (Co. Supt. insert)---				
H. Estimated outstanding indebtedness June 30, 19____, to be met from balances carried forward on line A (school board insert)				
I. Estimated balance necessary June 30, 19____, to meet expenditures prior to next year's receipts (school board insert)-----				
J. Total budgeted expenditures—Part I in column 1, part II in column 2, part III in column 4 (Co. Supt. insert)-----				
K. Total, lines H, I and J (Co. Supt. insert)-----				
L. Excess of requirements over estimated income—Minimum amount to be raised by special tax levy (Co. Supt. insert)---				

NOTE: On line B—All state money must be applied to teachers' salaries, column 1.

On line C—Not less than 60% of county money must be applied to teachers' salaries, column 1.

—Not over 40% of county money may be applied to expenditures other than teachers' salaries.

On line L—Surplus funds in column 1, if composed of state money or the 60% of county money, can not be transferred or applied to other expenditures.

Approved :

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of line 22 following the word "than", and in line 23, preceding the word "dollars", and insert in lieu thereof the following: "fifty dollars nor more than five hundred."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 484—An act relating to the maintenance of professorships of nursing education at the University of California at Berkeley and Los Angeles, defining the powers and duties of the State Director of Finance in relation thereto, and making an appropriation therefor.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 47—An act to add section 5.128 to the School Code, relating to the requirements to be met by persons applying for credentials for employment in the public schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 377—An act to amend the School Code of the State of California by adding section 4.982 thereto, relating to school bonds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 26—An act to provide for the payment of the highest prevailing rate of wages on public work, whether the work is done by contract or otherwise, and double pay for legal holiday work and such overtime work as is permitted by law, providing for the ascertainment of such highest prevailing rate by the officer or public body awarding the contract and its insertion in the contract and bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the amended printed bill, after the word "highest", insert the word "general".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5 of the title of the amended printed bill, insert after the word "highest", the word "general".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the amended printed bill, insert after the word "highest", the word "general".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 2, of the amended printed bill, after the word "wages", insert the following: "for work of a similar character".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 7, of the amended printed bill, insert after the word "highest", the word "general",

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 11, of the amended printed bill, insert after the word "highest", the word "general".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 20, of the amended printed bill, strike out the word "in", and insert in lieu thereof the word "on".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 3, of the amended printed bill, strike out the word "fund", and insert in lieu thereof the word "funds".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 8, of the amended printed bill, insert after the word "or", the word "any".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 12, of the amended printed bill, insert before the word "prevailing", the word "general".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 20, of the amended printed bill, insert after the word "highest", the word "general".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day or portion thereof any alien is permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 34, of the printed bill, insert after the word "charter", the following: "heretofore or hereafter approved".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 34, of the printed bill, insert before the word "shall", the following: "also any work paid for in whole or in part out of public funds,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 37, of the printed bill, strike out the word "and", and insert in lieu thereof the word "or".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 806—An act to amend sections 1195b, 1205, 1210, 1229 and 1261 of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262 of the Political Code, relating to tally lists.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 903—An act to add a new section to the Civil Code to be known as section 453g, relative to the registration of life insurance policies issued by assessment companies.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 126—An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal chapter 32, Statutes of 1911, extra session, entitled "An act to provide for the recall of elective officers of incorporated cities and towns," approved January 2, 1912.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed bill, strike out the word "three", and substitute the word "five".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 32, of the printed bill, strike out the word "three", and substitute the word "five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 66—An act to amend section 4041.10 of the Political Code, relating to the changing of boundaries of election precincts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, strike out the word "forty-five", and insert in lieu thereof the word "ninety".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 17, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following words: "*provided further*, that where the boundaries of any incorporated city or town have been changed by the annexation of unincorporated

territory, or the exclusion of territory from an incorporated city or town, the boundaries of the precincts affected by said change may be altered or corrected, or new precincts established to comply with said change in boundaries of said incorporated city or town not later than forty-five days prior to any election. *And, provided further*, that when the number of persons registered in a precinct totals more than four hundred the said precinct may be divided into two or more precincts, but so as not to effect the boundaries of any other precinct, not later than forty-five days before any election."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 545—An act to amend section 46 of the Workmen's Compensation Insurance and Safety Act, approved May 26, 1913, relating to insurance carriage of the State and certain political subdivisions, public corporations and quasi public corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 874—An act to amend section 433j of the Civil Code, relating to insurance.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1506—An act to amend section 5 of chapter-----, Statutes of 1923, entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent therewith," approved May 23, 1923, relating to duties of State Fire Marshal.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 18 and 19, and insert in lieu thereof the following:

"Sec. 2. For the purpose of safeguarding life and property, it shall be the duty of the state fire marshal to aid in the enforcing of all laws".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 20, of the printed bill, insert after "and fire", the following: "prevention and".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, lines 20 and 21, of the printed bill, strike out "are enforced," and insert in lieu thereof the following: "and".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 22, of the printed bill, insert after "fires", the following: "occurring outside the corporate limits of any city or town maintaining a fire department".

Amendment adopted.

AMENDMENT NUMBER FIVE

On page 1, line 22, of the printed bill, strike out "and to take", and insert in lieu thereof the following: "for the purpose of taking".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 22, of the printed bill, add on the end of the word "protect", the following: "ing".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 14, of the printed bill, strike out "the", and insert in lieu thereof the following: "his".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 932—An act to amend section 1 of an act entitled "An act to define motor club service, and to define, license and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, insert between the enacting clause and line 1 the following:

"SECTION 1. Section 1 of the act cited in the title hereto is hereby amended to read as follows:—".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, after the last line, insert the following: "Claim adjustment service." Any act or acts by the company, the purpose of which is to adjust claims for the holder of a service contract with any such company, as the result of injury or damage to the person or property of such service contract holder or to any other person, following an accident resulting from the ownership, maintenance, operation and use of a motor vehicle."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 692—An act to amend sections 2, 5, 6, and 8, chapter 795, Statutes of 1927, entitled "An act to regulate the sale and issuance of licenses to hunt, take, pursue or kill wild birds or mammals, and/or to angle for, take, catch or kill game fishes for purposes other than sale or profit in order to provide revenue therefrom for fish and game preservation, protection and restoration; defining game fishes; providing a penalty for the violation of this act and repealing all acts and parts of acts inconsistent or in conflict with this act," approved May 27, 1927, relating to the issuing of, accounting for, compensation for issuing, duration of, and mode of applying for hunting and fishing licenses and the definition of game fishes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 692 passed by the following vote:

AYES—Senators Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Ingels, Inman, Maloney, McCormack,

McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Scottky, Slater, Tubbs, Wag, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 690—An act to repeal chapter 413, Statutes of 1915, entitled "An act to regulate the issuance and sale of licenses for resale to hunters and anglers," approved May 20, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 690 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Young moved to refer Senate Bill No. 359 to Senator Duval, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 6, line 33, of the printed bill, strike out "1927", and insert in lieu thereof the following: "1929".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 359, with instructions to amend, respectfully reports the same back, amended as per instructions.

DUVAL, Committee.

Report read, and on motion of Senator Young adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 403—An act to provide for the inspection and certification of liquid eggs, frozen eggs and dried eggs and any other egg products imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with respect thereto, and to provide penalties for violations of the provisions of this act.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Senate Bill No. 403 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 47, of the printed bill, strike out the period and insert in lieu thereof the following: "to whom such products are sold for the purpose of inspection as provided for herein."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, strike out lines 7 to 9, inclusive, and insert in lieu thereof the following: "rules and regulations prescribed under authority of the California pure food act, approved June 30, 1906, the California food sanitation act, approved March 6, 1909, and the federal pure food and drug act of June 30, 1906. Any "liquid eggs," "frozen".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, strike out lines 13 to 15, inclusive, and insert in lieu thereof the following: "of an authorized representative of any federal or state department that is authorized to inspect food products, which certificate shall state that the".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 403, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee.

Report read, and on motion of Senator Slater adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 490—An act defining the civil liability for failure to control fire.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 490 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 491—An act to amend section 384 of the Penal Code, relating to fires.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 491 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Swing, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 79—An act to amend section 626*d* of the Penal Code, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 79 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 171—An act to add a new section to the Penal Code to be numbered 636*b*, relating to the protection of fish.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Edwards moved to refer Senate Bill No. 171 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended, strike out the word "into", and insert in lieu thereof the words "to the division of fish and game for deposit in".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 171, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Edwards adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 345—An act to amend section 2 of chapter 591, Statutes of 1915, entitled "An act to create a reclamation district to be called "Reclamation District No. 1660," and providing for the control and management thereof."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 345 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Allen moved to reconsider the vote whereby Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit,

to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Senate Bill No. 286 was passed, carried by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Young—33.

NOES—None.

Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Allen moved to refer Senate Bill No. 286 to Senator Williams, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, as amended in Senate March 17, 1931, strike out "New river", and insert in lieu thereof the following: "the south fork of the said Trinity river".

AMENDMENT NUMBER TWO.

On page 1, line 18, of the printed bill, as amended in Senate March 17, 1931, after "thereof", insert the following: "within the limits of said district".

AMENDMENT NUMBER THREE.

On page 1, line 23, of the printed bill, as amended in Senate March 17, 1931, after "thereof", insert the following: "within the limits of said district".

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, as amended in Senate March 17, 1931, after "thereof", insert the following: "within the limits of said district".

AMENDMENT NUMBER FIVE.

On page 2, after line 24, of the printed bill, as amended in Senate March 17, 1931, add the following:

"SEC. 6. The clarity of the waters of said district shall not be deemed to be affected within the meaning of this act until said waters contain more than fifty parts per million, by weight, of suspended matter; nor shall any person, firm or corporation be prosecuted under the provisions of this act for any activity engaged in or thing done between the fifteenth day of October of any year and the fifteenth day of July of the succeeding year."

AMENDMENT NUMBER SIX.

On page 1, line 15, of the printed bill, as amended in Senate March 17, 1931, strike out the word "each", and insert in lieu thereof the word "any".

AMENDMENT NUMBER SEVEN.

On page 2, line 11, of the printed bill, as amended in Senate March 17, 1931, strike out the word "each", and insert in lieu thereof the word "any".

AMENDMENT NUMBER EIGHT.

On page 1, line 24, of the printed bill, as amended in Senate March 17, 1931, strike out all the words after the word "misdemeanor", and insert in lieu thereof a period ".".

AMENDMENT NUMBER NINE.

On page 2 of the printed bill, as amended in Senate March 17, 1931, strike out all of lines 1 to 4, both inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 286, with instructions to amend, respectfully reports the same back, amended as per instructions.

WILLIAMS, Committee.

Report read, and on motion of Senator Allen adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 438—An act to add four new sections to the Political Code, to be numbered 690*a*, 690*b*, 690*c*, and 690*d*, relating to the Division of Land Settlement and the State Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 438 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagye, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 759—An act to amend section 71 of an act entitled "An act to provide for the organization of the Railroad Commission, to define the powers and duties and the rights, remedies, powers and duties of public utilities and their officers, and the rights and remedies of patrons of public utilities, and to provide penalties for offenses by public utilities, their officers, agents, and employees by other persons and corporations, creating the Railroad Commission Fund and appropriating the moneys therein to carry out the provisions of this act, and repealing title XV of part IV of division I of the Civil Code and all acts and parts of acts inconsistent with the provisions of this act," approved April 23, 1915, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 759 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagye, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 297—An act to amend section 692 of the Code of Civil Procedure, relating to the giving of notice of the sale of property under execution or under the provisions of any deed of trust.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 297 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Denel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1863—An act to amend sections 1148 and 1193 of the Penal Code, relating to the appearance of the defendant in criminal cases upon the return of the verdict therein and upon the pronouncement of judgment therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1863 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Denel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at eleven o'clock and fifty-three minutes a.m., the President of the Senate declared recess to hear remarks by former Lieutenant Governor H. L. Carnahan.

RECONVENED.

At twelve o'clock m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 704—An act to amend section 4300l of the Political Code, relating to fees of officers, witnesses and jurors in municipal courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 704 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Clock, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1039—An act providing for the appointment of an additional notary public for the City and County of San Francisco for

the accommodation of the inhabitants of said city and county residing at the Presidio of San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1039 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagdy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1049—An act to amend section 1714½ of the Civil Code, relating to negligence on the part of State officers, agents and employees of the State, counties, cities and counties, municipal corporations, the State Compensation Insurance Fund, irrigation districts, school districts, districts established by law and political subdivisions of the State, and authorizing the issuance of insurance covering such liability.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1049 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Wagdy, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1184—An act to provide for the compilation of, printing, binding, publishing, and distribution of a legislative manual or handbook, and to repeal all acts in conflict herewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1184 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagdy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 34—An act to amend section 537e of the Penal Code, relating to the purchase or sale of manufactured articles from which identification marks have been removed.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 34 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman,

Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—34.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 447—An act to add a new section to the Civil Code to be numbered 48a, relating to libel.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 447 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 662—An act relating to the issuance, construction and maintenance of exhibits and relating to activities by the State Department of Natural Resources:

Also: Assembly Bill No. 470—An act to amend section 3,673 of the School Code, and to repeal section 3,674 thereof, relating to vacation schools.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 662 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 470 read first time, and referred to Committee on Education.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 207—An act to amend sections 3, 4 and 5 of chapter 343 of the Statutes of 1921, entitled "An act to provide for leasing kelp beds in the waters of the State of California by the Board of Fish and Game Commissioners," and to repeal section 7 thereof;

Also: Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith;

Also: Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 36f thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36g, relating to modification of court decrees as to quantities of water awarded;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, and school districts, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, authorizing such public or quasi public corporations to take out and pay for insurance to protect them against such liability, and repealing chapter 328, Statutes of 1923, entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances, approved June 13, 1923," limiting the liability of municipalities, counties, cities and counties, school districts, or other public or quasi public corporations for the negligence of their respective officers in certain instances.

Also: Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to amend sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430, inclusive, and new sections to be numbered 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools;

And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 13, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 1 of article IV of the constitution of said State, relating to the submission of drafts of initiative and referendum measures to the Attorney General, and to the filing of initiative or referendum petition—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—11; committee vote: Ayes—10; absent—1.

FELLOM, Chairman.

Senate Constitutional Amendment No. 3 ordered on file.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 182—An act to authorize the counties of the State of California to establish systems for the retirement and pension of county and township officers and employees and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax—has had the same under consider-

ation, and respectfully reports the same back with amendments, without recommendation.

Committee membership—9; committee vote: Ayes—5; noes—3; absent—1.

WAGY, Chairman.

Senate Bill No. 182 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1608—An act to amend section 4243 of the Political Code, relating to salaries and fees of officers of counties of the fifty-third class;

Also: Assembly Bill No. 1611—An act to amend section 16x54 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-third class;

Also: Assembly Bill No. 1614—An act to amend section 2322x54 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-third class;

Also: Assembly Bill No. 1624—An act to amend section 4249 of the Political Code, relating to the salaries and compensation in counties of the twenty-second class;

Also: Assembly Bill No. 51—An act to amend section 1 of an act entitled "An act to enable counties to purchase, lease, obtain, hold, improve and maintain land for the uses and purposes of public parks and boulevards," approved May 31, 1921, Statutes 1929, page 992;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—9.

WAGY, Chairman.

Assembly Bills Nos. 1608, 1611, 1614, 1624 and 51 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 129—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class;

Also: Senate Bill No. 179—An act to amend section 2322x24 of the Political Code, relating to the county horticultural commissioner, his deputies, inspectors and clerks in counties of the twenty-fourth class;

Also: Assembly Bill No. 1609—An act to add a new section to be numbered 9a53 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to libraries in counties of the fifty-third class;

Also: Assembly Bill No. 1610—An act to add section 19x53 to the Juvenile Court Law, relating to probation officers in counties of the fifty-third class;

Also: Assembly Bill No. 1612—An act to amend section 16x20 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-second class;

Also: Assembly Bill No. 1615—An act to amend section 2322x20 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-second class;

Also: Assembly Bill No. 1616—An act to add section 19x22 to the Juvenile Court Law, relating to probation officers in counties of the twenty-second class;

Also: Assembly Bill No. 654—An act to add a new section to the Weights and Measures Act, approved June 16, 1913, as amended, to be numbered 16x2, relating to the salaries of the sealer of weights and measures, and deputies, in counties of the second class;

Also: Assembly Bill No. 528—An act to repeal section 4230 of the Political Code, relating to salaries of officers in counties of the first class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—9.

WAGY, Chairman.

Senate Bills Nos. 123 and 179 ordered on file for second reading.

Assembly Bills Nos. 1609, 1610, 1612, 1615, 1616, 654 and 528 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 308—An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof;

Also: Senate Bill No. 865—An act to amend section 4270 of the Political Code, relating to compensation of county and township officers in counties of the forty-first class;

Also: Senate Bill No. 417—An act to add a new section to be numbered section 44 to chapter 378 of the Statutes of 1915, entitled "An act to provide a central bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendent of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of birth and death; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons, and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to the duties of the county health officer in counties having a freeholders' charter;

Also: Senate Bill No. 867—An act to amend section 1941 of the Juvenile Court Law, relating to probation officers in counties of the forty-first class;

Also: Senate Bill No. 866—An act to amend section 232241 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-first class;

Also: Senate Bill No. 863—An act to amend section 1641 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-first class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—9.

WAGY, Chairman.

Senate Bills Nos. 308, 865, 417, 867, 866 and 863 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 47—An act to amend section 4075 of the Political Code of the State of California, relating to claims against counties;

Also: Assembly Bill No. 49—An act to amend the Political Code by adding thereto a new section to be numbered 4041k, relating to power of the board of supervisors to vacate or abandon drainage or sewage easements;

Also: Assembly Bill No. 212—An act to amend sections 1 and 3 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923, Statutes of 1923, page 289, relating to the amount and purposes of such funds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—9.

WAGY, Chairman.

Assembly Bills Nos. 47, 49 and 212 ordered on file for second reading.

Also :

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 737—An act to amend section 2322419 of the Political Code, relating to the office of agricultural commissioner in counties of the nineteenth class;

Also: Senate Bill No. 739—An act to amend section 16419 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the nineteenth class;

Also: Senate Bill No. 740—An act to amend section 4248 of the Political Code, relating to compensation of county and township officers in counties of the nineteenth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—9.

WAGY, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on County Government, the following amendments to Senate Bill No. 737 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322x19", and insert in lieu thereof "2322x24".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "2322x19", and insert in lieu thereof "2322x24".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"2322x24. In counties of the twenty-fourth class the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One inspector at a monthly salary of one hundred fifty dollars per month during the time actually employed; three inspectors at a compensation of five dollars per day each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed four thousand seven hundred ninety dollars.

(b) One clerk at a monthly salary of ninety dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand and eighty dollars."

Bill ordered to print, and re-referred to Committee on County Government.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on County Government, the following amendments to Senate Bill No. 739 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "16x19", and insert in lieu thereof "16x24".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "16x19", and insert in lieu thereof "16x24".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"Sec. 16x24. The sealer of weights and measures in counties of the twenty-fourth class shall receive the salary of one hundred fifty dollars per month and deputies shall receive five dollars per day for each day actually employed."

Bill ordered to print, and re-referred to Committee on County Government.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on County Government, the following amendments to Senate Bill No. 740 were read and adopted:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "nineteenth class.", and insert in lieu thereof "twenty-fourth class; and to repeal section 9a19 of chapter 68, statutes of 1911, entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing "An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"4248. In counties of the twenty-fourth class, the county officers shall receive as compensation for the services required of them by law or by virtue of their offices the following salaries, fees and expenses, to wit:

1. The county clerk, three thousand six hundred dollars per annum, and such fees as are allowed by law for issuing hunting and fishing licenses, and for the naturalization of persons desiring to become citizens; also five hundred dollars additional per

year for the registration of voters. He shall also be allowed to appoint one chief deputy, which office of chief deputy is hereby created, who shall receive as compensation the sum of two thousand four hundred dollars per annum payable out of the same fund and in the same manner as the salaries of other county officers are paid. He shall also be allowed to appoint one copyist, which office of copyist is hereby created, who shall receive as compensation the sum of one thousand eight hundred dollars per annum, payable out of the same fund and in the same manner as the salaries of other county officers are paid; *and provided, further*, that in any year when a registration of voters is required by law, that said county clerk may appoint such number of deputies, who are hereby designated and shall be known as registration deputies, with full power to register electors as may be necessary for the convenient registration of voters in their respective precincts or townships, each of said registration deputies to receive the sum of ten cents per name for each elector registered by him. The compensation of such registration deputies for such registration of electors shall be paid out of the general fund of the county on a duly verified claim therefor approved by said county clerk and allowed by the board of supervisors of said county.

2. The sheriff, four thousand five hundred dollars per annum, and the fees or commissions for the service of all papers whatsoever issued by any court outside of the superior court in and for his county. He shall appoint a jailer to take charge of the branch county jail at a salary of one thousand five hundred dollars per annum, an undersheriff at a salary of two thousand one hundred dollars per annum, a deputy jailer at a salary of two thousand dollars per annum, who shall act as a jailer for the county jail, and a deputy jailer at a salary of two thousand dollars per annum, and the salaries of which deputies shall be paid by the county in the same manner and out of the same fund as the salaries of other county officers are paid.

3. The recorder, three thousand dollars per annum. He shall also be allowed one deputy, which office of deputy recorder is hereby created, who shall receive as compensation the sum of two thousand one hundred dollars per annum, payable out of the same fund and in the same manner as the salaries of other county officials are paid. He may also appoint such copyists as may be required for the recording of all papers, notices and documents in his office, who shall receive as compensation for their services the sum of six cents per folio for actual work done in copying and comparing any instrument to be recorded (except maps and plats) and for making copies of any records or papers. The compensation of the copyists herein provided for shall be paid by the county in monthly installments at the same time and in the same manner and out of the same fund as the salary of the county recorder is paid: *provided*, that the recorder shall file monthly with the auditor a verified statement showing in detail the persons employed as such copyists and the amount due to each for such copying and comparing. All fees collected by said recorder for filing and recording of instruments and other documents, maps and plats, or for copies made from records shall be paid into the county treasury.

4. The auditor, three thousand dollars and such fees as are allowed by law. The auditor shall also be allowed one deputy, which office of deputy auditor is hereby created, who shall receive as compensation the sum of two thousand four hundred dollars per annum and one deputy, which office of deputy auditor is hereby created, who shall receive as compensation the sum of one thousand eight hundred dollars per annum. In addition to said deputies the county auditor shall have the right to employ from time to time in his office such additional assistants as may be required to promptly perform the work required to be done therein. Such assistants shall receive a salary not to exceed five dollars each for each day they are actually and necessarily employed and not to exceed the sum of seven hundred fifty dollars in any one year. The deputies and assistants herein provided for shall be paid by said county at the same time and in the same manner and out of the same fund as the salary of the auditor is paid.

5. The treasurer, three thousand dollars per annum. He shall also be allowed one deputy which office of deputy treasurer is hereby created, who shall receive as compensation the sum of two thousand four hundred dollars per annum, payable out of the same fund and in the same manner as the salaries of other county officers are paid.

6. The tax collector, three thousand dollars per annum and his actual and necessary expenses when engaged in the collection of taxes in the various townships of the county; *provided, however*, such expenses shall not in any one year exceed the sum of one hundred dollars. He shall also be allowed one deputy, which office of deputy tax collector is hereby created, who shall receive as compensation the sum of two thousand four hundred dollars per annum, payable out of the same fund and in the same manner as the salaries of the other county officers are paid. In addition to said deputy, the county tax collector shall have the authority to employ from time to time in his office one additional assistant as may be required to promptly perform the work necessary therein. Said assistant shall receive a salary not to exceed five dollars per day and not to exceed the sum of seven hundred fifty dollars in any one year. The deputy and assistant herein provided for shall be paid by said county at the same time and in the same manner and out of the same fund as the salary of the tax collector is paid.

7. The assessor, four thousand dollars per annum, and his actual and necessary traveling expenses, when engaged in assessing the properties of his county; *provided*,

such traveling expenses shall not in any one year exceed the sum of two hundred dollars. He shall also be allowed one deputy which office of deputy is hereby created, who shall receive as compensation two thousand four hundred dollars per annum, and one deputy, which office of deputy is hereby created, who shall receive as compensation one thousand eight hundred dollars per annum. The salaries of which deputies shall be paid out of the same fund and in the same manner as the salaries of other county officers are paid. The assessor shall also receive six per cent of all personal property taxes collected by him and all fees and commissions allowed him by law for collection of poll taxes and preparation of roll of persons subject to military duty.

8. The district attorney, three thousand dollars per annum. In counties of this class the district attorney may appoint a deputy district attorney, which office of deputy district attorney is hereby created, and said deputy district attorney shall receive as compensation for all services performed, the sum of two thousand four hundred dollars per annum, to be paid out of the county treasury, in equal monthly installments, at the same time, in the same manner and out of the same fund that salaries of other county officials are paid. He shall be allowed two stenographers, which offices of stenographers are hereby created and who shall receive as compensation one thousand five hundred dollars each per annum, payable out of the same fund and in the same manner as the salaries of other county officers are paid.

9. The coroner, such fees as are now or may hereafter be allowed by law.

10. The public administrator, eight hundred dollars per annum.

11. The superintendent of schools, three thousand dollars per annum and traveling expenses while visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of the superintendent of schools: *provided*, the superintendent of schools may appoint one deputy which office of deputy is hereby created, who shall receive as compensation the sum of two thousand one hundred dollars per annum, payable at the same time and in the same manner as the salaries of other county officers are paid.

12. The surveyor, three thousand dollars per annum and in addition thereto all necessary expenses, such as transportation and pay for help which may be necessary for the performance of county duties. He shall also be allowed to appoint one clerk, which office of clerk is hereby created and who shall receive as compensation the sum of one thousand five hundred dollars per annum.

13. The county librarian, two thousand four hundred dollars per annum, payable at the same time and in the same manner and out of the same fund as the salaries of other county officers: *provided*, that the board of supervisors may appoint all necessary employees for the county library as provided by law. The county librarian shall also be allowed actual and necessary traveling expenses.

14. Justices of the peace, the following monthly salaries, to be paid each month as the salaries of county officers are paid, which shall be in full for all services rendered by them: In townships having a population of six thousand or more, one hundred fifty dollars per month; in townships having a population of one thousand five hundred and less than six thousand, one hundred dollars; in townships having a population of one thousand and less than one thousand five hundred, thirty dollars; in townships having a population of five hundred and less than one thousand, twenty dollars; in townships having a population of less than five hundred, ten dollars. Each justice must pay into the county treasury, once a month, all fines and fees collected by him in criminal and civil cases as provided for by law.

15. Constables, the following salaries, which shall be paid monthly as salaries of the county officers are paid, and which shall be in full for all services rendered by them in criminal cases, to wit: In townships having a population of one thousand eight hundred and more, one hundred twenty-five dollars; in townships having a population of one thousand five hundred and less than one thousand eight hundred, eighty dollars; in townships having a population of one thousand and less than one thousand five hundred, fifty dollars; in townships having a population of eight hundred and less than one thousand, thirty dollars; in townships having a population of five hundred and less than eight hundred, fifteen dollars; in townships having a population of less than five hundred, ten dollars. In addition to the monthly salary allowed herein, each constable may receive and retain for his own use such fees as are now or may be hereafter allowed by law for all services performed by him in civil actions. For the purpose of this section, the basis of calculation for fixing the compensation of justices and constables above mentioned, the population of the different townships of the county shall always be based upon the figures as shown by the last United States census; *provided, however*, that whenever the census of any township or townships shall have been taken under the provisions of this title, said census may become the basis of calculation.

16. Each member of the board of supervisors, one thousand two hundred dollars per annum for all services rendered including mileage and including services as road commissioners; *provided*, that when required to go on business to any point outside of the county, they shall be allowed actual expenses.

17. Each member of the county board of education shall receive ten cents per mile for traveling from his or her residence to the county seat; *provided*, that mileage be not allowed for more than two meetings in any one month.

18. Sections 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 13, and the provisions of section 14 relating to townships having a population of one thousand eight hundred and more shall go into effect ninety days after final adjournment of the Legislature.

The salaries herein allowed are in full compensation for all duties performed by either principals or their deputies and all fees of every kind collected by each officer or his deputy except the assessor and his deputies as provided in section 7 of this act shall be paid into the county treasury as provided by law except that the county clerk, sheriff, auditor, assessor, coroner, and constables, shall each be allowed the fees and commissions as provided for in subdivisions 1, 2, 4, 7, 9, and 14, respectively, of this act.

SEC. 2. The provisions of this act, so far as they are substantially the same as existing statutes governing counties of this class, must be construed as continuations thereof and not as new enactments; and nothing in this act contained shall be deemed to shorten or extend the term of office or employment of any person holding office or employment under the provisions of such statutes.

SEC. 3. Section 9a19 of chapter 68, Statutes of 1911, entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" is hereby repealed."

Bill ordered to print, and re-referred to Committee on County Government.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Treacy:

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act granting to the City and County of San Francisco lands known as "Channel" or "Channel Street" southwesterly from the northeasterly line of Seventh Street in said city and county; and authorizing said City and County of San Francisco to dispose of portions of said street, or otherwise deal with or improve said portion of said street as said city and county may deem proper; and repealing all acts in conflict therewith.

Request referred to Committee on Rules.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 481, heretofore set as a special order for two o'clock p.m., the same was taken up for consideration.

Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Bureau of Building and Loan Supervision and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and

employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354, of the Statutes of 1911, and acts amendatory thereof and supplemental thereto, chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

Bill read third time.

MOTION.

At two o'clock and forty minutes p.m., on motion of Senator Inman, the Senate resolved itself into Committee of the Whole, President pro tempore Arthur H. Breed in the chair, the Secretary of the Senate acting as Secretary to the Committee of the Whole, for the purpose of further considering Senate Bill No. 481, relating to building and loan associations.

IN COMMITTEE OF THE WHOLE.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

NAMES OF PERSONS WHO APPEARED BEFORE COMMITTEE OF THE WHOLE.

During the discussion of Senate Bill No. 481 the following named persons appeared before the Committee of the Whole:

Paul Fussell—representing the State Building and Loan League.

SENATOR MALONEY IN THE CHAIR.

At three o'clock and five minutes p.m., Senator Maloney, of the Twenty-third District, was called to the chair.

Former Lieutenant Governor H. L. Carnahan—State Building and Loan Commissioner of the State of California.

J. L. Miller—of the Mutual Building and Loan Association.

O. C. Parkinsons—Building and Loan Associations of Central California.

COMMITTEE OF THE WHOLE RISES.

At four o'clock and twenty-seven minutes p.m., Senator Inman moved that the Committee of the Whole do now rise.

Motion carried.

IN SENATE.

At four o'clock and twenty-eight minutes p.m., the Senate reconvened. Senator Maloney of the Twenty-third District in the chair.

Assistant Secretary Francis E. Dalin at the desk.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Senate Bill No. 481 to Senator Jones, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 68, line 12, of the printed bill, as amended in the Senate March 19, 1931, beginning with the word "or", following the word "act", strike out all of the remainder of line 12, and all of lines 13, 14 and 15, and line 16 up to and including the word "act".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Christian, Allen and Jones on Senator Christian's motion to refer Senate Bill No. 481 to Senator Jones as a Special Committee of One for amendment.

The roll was called, and Senator Christian's motion lost by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Christian, Cleveland, Crittenden, Deuel, Ingels, Jones, Moran, Rich, Rochester, Schottky, Treacy, and Williams—16.

NOES—Senators Breed, Cassidy, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—23.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 481 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 55, line 23, of the printed bill, as amended in the Senate March 19, 1931, strike out the word "ten", and insert in lieu thereof the word "six".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Allen, Bush and Jones on Senator Jones' motion to refer Senate Bill No. 481 to Senator Christian as a Special Committee of One for amendment.

The roll was called, and Senator Jones' motion carried by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Crittenden, Deuel, Edwards, Harper, Hays, Ingels, Jones, Moran, Rich, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—25.

NOES—Senators Clock, Duval, Evans, Fellom, Inman, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, and Sharkey—13.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 481, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Committee.

Report read, and on motion of Senator Jones adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rich moved to refer Senate Bill No. 481 to Senator Moran, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 55, line 40, of the printed bill, strike out all the words commencing with the word "and", after the word "deputy", up to and including the word "attorney", on the same line.

AMENDMENT NUMBER TWO.

On page 55, line 52, of the printed bill, strike out the word "attorney".

AMENDMENT NUMBER THREE.

On page 56, line 12, of the printed bill, strike out the word "attorney".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Rich, Ingels and Duval on Senator Rich's motion to refer Senate Bill No. 481 to Senator Moran as a Special Committee of One for amendment.

The roll was called, and Senator Rich's motion lost by the following vote:

AYES—Senators Carter, Christian, Cleveland, Deuel, Hays, Ingels, Moran, Rich, Rochester, Schottky, Sharkey, and Williams—12.

NOES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Slater, Swing, Treacy, Tubbs, Wagy, and Young—27.

FURTHER CONSIDERATION OF SENATE BILL NUMBER FOUR HUNDRED
EIGHTY-ONE POSTPONED.

On motion of Senator Inman, further consideration of Senate Bill No. 481 was postponed until eleven o'clock and thirty minutes a.m., Tuesday, March 24, 1931.

USE OF SENATE CHAMBER GRANTED.

Senator Duval asked for, and was granted, unanimous consent for use of the Senate Chamber on Monday evening, March 23, 1931, for committee meeting of Agriculture and Live Stock.

ADJOURNMENT.

At six o'clock and seven minutes p.m., on motion of Senator Breed, the Presiding Senator declared the Senate adjourned until eleven o'clock a.m., Tuesday, March 24, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Tuesday, March 24, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beck at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 23, 1931, the further reading was dispensed with on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Maloney was, on motion of Senator Treacy, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Newton W. Thompson, former President pro tempore of the Senate.

On request of Senator Clock, the privilege of the floor of the Senate Chamber for this day was unanimously extended to ex-Governor Friend W. Richardson.

On request of Senator Ingels, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Louise Robinson, tax collector, Lake County.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Alpine school of San Joaquin County, Mary E. Rathbun, principal; Ed. Preszler, trustee; Fred Frey and Jacob Nies, parents; and pupils as follows: Albert Ackerman, Albon Reiniche, Lillian Nies, Lorine Nies, Violet Zimmerman, Hannah Engel, Alice Brandt, Evelyn Frey, Leah Frey, Gladys Handel, Johanna Schmidt, Ruby Frey, Helen Schmidt, Edwin Bender, Dale Rathbun, Belford Wiederrich, Alfred Preszler, Calvin Mettler, Harley Wathen, Oliver Scheideman, Charles Johns, Ross Johns, Leslie Wiederrich and Peter Schmidt.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Folsom Union high school, Miss Shore, teacher, and pupils as follows: Bernice Anderson, Grace Bieker, Edith Castro, Howard Chappell, Artie Coffey, Leola Coval, Henry Crowle, Herbert Crowle, Muriel Dixon, Emily Eby, Wilbur Ferry, Margaret Hall, Yount Jumper, Ruth May, Eugenia Mette, Clair Mitchell, Minerva Payen, Eleanor Perry, Nobert Relvas, Charlotte Smith, Arvilla Strouse, Ella Tracy, Wilma Tucker, Coral Ward, Pauline Zanini, Avis Biggs, Stanley Buchanan, Lucretia Earnest and Ted Kirby.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bret Harte school, Mrs. Florine E. Leedy, teacher, and members of eighth A class as follows: Retha Bundoek, Annie Damaino, Dorothy Dickson, Marvel Everett, Ann Fitzche, Elaine Fariss, Daisy Jenkins, Arllys Keely, Mae Belle LeMaster, Alice Lucas, Rita Mayer, June McDaniel, Jean Reese, Doris Silva, Mina Talanoff, Evelyn White, Phyllis Quirola, Dorothy Michello, Loyd Akerly, Bob Blodgett, Jack Friedenbloom, Edward Gorman, Clifford Lewis, Clyde Marks, Charles Pemberton, Ralph Rickey, Harding Smith, Nicholas Tanford, Everal Vaughan and Lee Weatherhead.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Bret Harte school, Miss L. Jones, teacher, and pupils as follows: Ethel Barker, Ethel Ennis, Dorothy Isaacs, Marian Maaksted, La Vaun Peterson, Gladys Purser, Charlotte Rogers, Ethelyn Sellinger, Edna Sparks, Alma Sprogis, Winifred Sturgeon, Jeanne Violette, Lillian Wall, Eleanor Wells, Frances Winters, Nettie Stapp, Frances Perac, Joseph Buel, Uros Covitch, Edward Cummings, Richard Dodge, Jasper Guareno, Robert Klaiber, Dick Lucas, Clyde Noc, Walter Owens, Joe Parada, Albert Penter, George Peyton, Caryl Prince, James Robinson, Jack Schnell, Joe Sestito, Douglas Soutar, Harry Wells, Richard Wilcox and Carroll Dudley.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sutterville Heights School, Alice Sparks Vest, teacher, and pupils as follows: Ida Adelle Moody, Frances Silva, Margaret Cleghorn, Grace Suyeda, Yoshiko Kozono, Anna Cernicky, Dorothy Bond, Amelia Sartori, Helen Talbot,

Fusaye Yokoyama, Masaru Yokoyama, Sataru Yokoyama, Hayata Yasuda, Akita Yasuda and Masao Yokota.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. G. Adams of Livingston, former Assemblyman.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George P. Upham of Richmond.

On request of Senators Slater and Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Dan H. Lafferty, president of California State Automobile Association.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Honor Scholar Society of Livingston High School, as follows: Elizabeth Moore, Pauline Taber, Fern Liles, Clyde McDonald, Frances Christensen, Margaret Christensen, Lafayette Noda, Sylvan Dessel, Misao Kanagowa, Grace Noda, Alice Miyahara, Rose Noda, Julia Noda, Harry Naka, John Koppenhaver, Gordon Winton and Masao Hoshino; and Miss Elizabeth Knerr, teacher; C. J. Carpenter, vice principal, and Mrs. W. S. Batterman and Mrs. Christensen, parents.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 676—An act to amend "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 26, 1927, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Bill No. 676 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 675—An act to amend the title and sections 2, 4, 5, 6, 9, 10, 12, 13, 13a and 14 of chapter 266, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," and to add thereto a new section to be numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor, and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 675—An act to amend the title and sections 2, 4, 5, 6, 9, 10, 12, 13, 13a and 14 of chapter 266, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," and to add thereto a new section to be

numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER SIX HUNDRED SEVENTY-FIVE.

AMENDMENT NUMBER ONE.

On page 4, line 12, of the printed bill, as amended in the Assembly March 20, 1931, after "board.," add "All licenses issued to distributors under this section shall be valid until revoked by the state board of equalization."

AMENDMENT NUMBER TWO.

On page 5, line 47, of the printed bill, as amended in the Assembly March 20, 1931, strike out "may", and insert in lieu thereof "shall".

AMENDMENT NUMBER THREE.

On page 6, lines 49 and 50, of the printed bill, as amended in the Assembly March 20, 1931, strike out "Or, without first making any such seizure and sale the controller may", and insert in lieu thereof "The controller must also immediately".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 675?

The roll was called, and Assembly amendments to Senate Bill No. 675 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Senate Bill No. 675 ordered to print, and enrollment.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 328—An act to add a new section to be numbered 9a9, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the ninth class;

Also: Assembly Bill No. 327—An act to amend section 2322x9 of the Political Code, relating to the office of agricultural commissioner in counties of the ninth class;

Also: Assembly Bill No. 324—An act to amend section 19r9 of the Juvenile Court Law, relating to probation officers in counties of the ninth class;

Also: Assembly Bill No. 323—An act to amend section 4238 of the Political Code, relating to compensation of county and township officers in counties of the ninth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1096—An act to amend chapter 70, Statutes of 1929, entitled "An act creating the Department of Agriculture Fund, providing that all moneys are to be credited to this fund, providing that all moneys remaining in certain special funds at the time this act takes effect shall be credited to said fund, providing that separate record of income and disbursements be kept of all moneys accruing to this fund and providing for a revolving fund," approved April 9, 1929, by adding a new section thereto to be known as section 6, providing for the payment into the Department of Agriculture Fund, of moneys received by the Department of Agriculture under section 2319i of the Political Code;

Also: Assembly Bill No. 376—An act to amend the Irrigation District Improvement Act, as amended, by amending sections 1, 2, 6, 7, 8, 9 and 10 thereof, relating

to assessments, warrants and property, and by adding three new sections to be numbered 15, 16 and 17, relating to assessments.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1096 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 376 read first time, and referred to Committee on Irrigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 45—An act to amend sections 2, 3, 4 and 6, and to add a new section to be numbered section 24, of chapter 210, Statutes of 1901, entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to residence of indigent persons, the bringing of indigents into the State, and the reimbursement of counties for aid advanced indigents;

Also: Senate Bill No. 72—An act creating a game refuge to be known as the Huntington Lake Game Refuge, providing for the conservation and protection of game within such district, and providing penalties for violation of the act;

Also: Senate Bill No. 529—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Alameda, State of California;

Also: Senate Bill No. 540—An act to amend section 653*ac* of the Civil Code, relating to the election and approval of trustees or directors of corporations formed to receive bequests, gifts, and donations;

Also: Senate Bill No. 25—An act to amend section 2 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended, relating to official bonds of deputies, clerks and subordinate officers in county offices and institutions;

Also: Senate Bill No. 353—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 45, 72, 529, 540, 25 and 353 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, authorizing the State and such public or quasi public corporations to take out and pay for insurance to protect their officers against such liability, and repealing chapter 360, Statutes of 1919, entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to person or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," relating to the liability in damages of the officers of districts, towns, cities and counties, counties, and of the State of California—and reports that the same has been correctly re-engrossed.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 47—An act to add section 5.128 to the School Code, relating

to the requirements to be met by persons applying for credentials for employment in the public schools;

Also: Senate Bill No. 289—An act to amend chapter 207, Statutes of 1921, entitled "An act to authorize counties to cooperate with the Secretary of Agriculture of the United States for the survey, construction and maintenance of roads and trails, and to pay part of the expenses thereof, pursuant to the provisions of section 8 of the act of congress approved July 11, 1916, entitled 'An act to provide that the United States shall aid the states in the construction of rural post roads and for other purpose,'" approved May 23, 1921, relating to roads and trails;

Also: Senate Bill No. 290—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended;

Also: Senate Bill No. 377—An act to amend the School Code of the State of California by adding section 4982 thereto, relating to school bonds;

Also: Senate Bill No. 435—An act to amend section 3633½ of the Political Code, relating to taxation of corporations for State purposes and to the trial of actions for the collection of state taxes;

And reports that the same have been correctly engrossed.

CASSIDY, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 484—An act relating to the support and maintenance of instruction in nursing education at the University of California, defining the powers and duties of the State Director of Finance in relation thereto, and making an appropriation therefor;

Also: Senate Bill No. 522—An act to amend sections 3692 and 3693 of the Political Code, relating to powers and duties of the State Board of Equalization;

Also: Senate Bill No. 806—An act to amend sections 11955, 1205, 1210, 1229 and 1261, of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262, of the Political Code, relating to tally lists;

Also: Senate Bill No. 903—An act to add a new section to the Civil Code to be known as section 453a, relative to the registration of life insurance policies issued by assessment companies;

Also: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to section 1 of article IV of the constitution of said State, relating to the submission of drafts of initiative and referendum measures to the attorney general, and to the filing of initiative or referendum petition;

Also: Senate Constitutional Amendment No. 9—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 8½ of article XI of the constitution of said State, relating to city charters and to the mode of elections held thereunder;

And reports that the same have been correctly engrossed.

CASSIDY, Vice Chairman.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 587—An act to amend section 2 of chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—4; noes—2; absent—1.

WILLIAMS, Chairman.

Senate Bill No. 587 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 70—An act to amend sections 9 and 19 of and to add sections 15a, 15b, 15c, 15d, and 15e, to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration of drugs;

Also: Senate Bill No. 328—An act to amend sections 5 and 10 of an act entitled "An act authorizing the creation, government, maintenance and dissolution of county

sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by providing for the sale and disposition by such districts of water, sewage effluent, fertilizer and other by-products resulting from the operation of sewage plants, and for the conservation of water and for distributing the proceeds of the sales of bonds;

Also: Senate Bill No. 485—An act to amend sections 2 and 5½ of chapter 319, Statutes of 1913, entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" relating to examination fees; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Bills Nos. 70, 328 and 485 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 681—An act to promote the development of the California ripe olive industry and to prevent deception in the packing and sale of canned ripe olives by establishing and defining certain standards for canned ripe olives, defining the powers and duties of the Director of the Department of Agriculture in relation hereto including the collection of fees, creating a board of appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provision hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—8; absent—5.

DUVAL, Chairman.

Senate Bill No. 681 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 446—An act to prevent fraud and deception and to protect the general welfare by establishing standards and standard containers for certain fruits, nuts and vegetables; and to that end regulating the sale, offer for sale, shipment, transportation, loading, packing, marking and disposal of fruits, nuts and vegetables; and repealing The California Fruit, Nut and Vegetable Standardization Act of 1927, chapter 865, Statutes of 1927, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—11; absent—2.

DUVAL, Chairman.

Senate Bill No. 446 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 152—An act to authorize the counties of the State of California to establish systems for the retirement and pension of county and township officers and employees and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 36, of the printed bill, as amended in Senate March 16, 1931, after "salary," add the following: "Any peace officer who shall deposit in said pension fund a sum equivalent to two per cent of such officer's monthly salary from

date of entering the service to date of the adoption of this act by any board of supervisors of any county, city or county, such person shall have all the benefits of this act for any past service so as to be included in all the benefits hereof, provided said person shall have had not less than twenty years continuous service and has reached the age of fifty-five or more."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 5, line 31, of the printed bill, as amended in Senate March 16, 1931, strike out "office", and insert in lieu thereof: "officer".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 123—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 179—An act to amend section 2322r24 of the Political Code, relating to the county horticultural commissioner, his deputies, inspectors and clerks in counties of the twenty-fourth class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 308—An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such district to defray the expenses thereof.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out the words "or in", and insert in lieu thereof the following: "and not including".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 865—An act to amend section 4270 of the Political Code, relating to compensation of county and township officers in counties of the forty-first class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4270", and insert in lieu thereof the following: "4265".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "forty-first", and insert in lieu thereof the following: "thirty-sixth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "4270", and insert in lieu thereof the following: "4265".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"4265. In counties of the thirty-sixth class the county officers".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 6, of the printed bill, after the colon following the words "to wit", insert the following:

"1. County clerk, three thousand dollars per annum; and in counties of this class there shall be one deputy clerk who shall be appointed by the county clerk, and who shall receive a salary of one thousand eight hundred dollars per annum, payable out of the treasury of the county at the same time and in the same manner as the salaries of county officers are paid.

2. Sheriff, three thousand dollars per annum and actual traveling expenses in the pursuit or arrest of criminals, either in or out of his county; *provided*, that in counties of this class there shall be one deputy sheriff who shall be appointed by the sheriff, and who shall receive a salary of one thousand eight hundred dollars per annum, payable out of the treasury of the county at the same time and in the same manner as the salaries of county officers are paid.

3. Recorder, three thousand dollars per annum, and in counties of this class, there shall be one deputy recorder who shall be appointed by the recorder and who shall receive a salary of one thousand eight hundred dollars per annum, payable out of the county treasury at the same time and in the same manner as the salaries of county officers are paid; and one deputy recorder who shall be appointed by the recorder and who shall receive a salary of one thousand two hundred dollars per annum, payable out of the county treasury at the same time and in the same manner as the salaries of county officers are paid.

4. Auditor, three thousand dollars per annum; and in counties of this class there shall be one deputy auditor who shall be appointed by the auditor and who shall receive a salary of one thousand five hundred dollars per annum, payable out of the county treasury at the same time and in the same manner as the salaries of county officers are paid. It shall be the duty of the deputy auditor, in addition to acting as deputy auditor, to prepare for the board of supervisors, a statistical report as provided by section 4049a of the Political Code as adopted in 1907.

5. Treasurer, two thousand two hundred dollars per annum; and in counties of this class the treasurer shall appoint such assistants, as may be necessary for the transaction of the business of this office, whose salaries shall not in any one calendar year exceed the sum of three thousand dollars. Said salaries to be paid upon verified claims filed with and allowed by the board of supervisors.

6. Tax collector, eight hundred dollars per annum; and in counties of this class there shall be one deputy tax collector, who shall be appointed by the tax collector, and who shall receive a salary of one thousand eight hundred dollars per annum, said salary to be paid at the same time and in the same manner as the salaries of county officers are paid.

7. Assessor, three thousand dollars per annum; and in counties of this class there shall be one chief deputy assessor, who shall be appointed by the assessor, and who shall receive a salary of one thousand eight hundred dollars per annum, and the assessor may appoint such other deputies, as may be necessary for the proper discharge of the duties of his office, whose compensation shall not for any one calendar year exceed the sum of one thousand five hundred dollars. The salary of said chief deputy assessor shall be paid at the same time and in the same manner as the salaries of county officers are paid, and the salaries of other deputies shall be paid upon verified claims filed and allowed by the board of supervisors.

8. District attorney, two thousand four hundred dollars per annum; and in counties of this class the district attorney shall appoint a clerk or stenographer who shall receive a salary of one thousand two hundred dollars per annum, said salary to be paid at the same time and in the same manner as the salaries of county officers are paid.

9. Coroner, five hundred dollars per annum and the actual traveling and other expenses that he incurs while discharging the duties of his office.

10. Public administrator, such fees as are now or may be hereafter allowed by law.

11. Surveyor, two thousand one hundred dollars per annum, and his actual traveling and other expenses while engaged in the performance of the duties of his office and while on the business of the county by order of the board of supervisors; *and provided*, that whenever the board of supervisors shall direct the surveyor to perform engineering or surveying work for the county he shall have the power to employ such office and field assistants as shall be necessary for the performance of such work, such

office and field assistants to be paid upon verified claims filed with and allowed by the board of supervisors. The surveyor shall also be allowed his actual and necessary expenses incurred while traveling to and from and while attending the annual convention of the association of county surveyors; *provided*, that in no event shall such expense exceed the sum of fifty dollars in any one calendar year.

12. Superintendent of schools, two thousand four hundred dollars per annum and his actual traveling expenses in visiting the schools of his county; and in counties of this class there shall be one deputy superintendent of schools who shall be appointed by the superintendent of schools, and who shall receive a salary of one thousand five hundred dollars per annum, payable at the same time and in the same manner as the salaries of county officers are paid. The salary hereby fixed for the superintendent of schools includes compensation for his services as secretary of the board of education as provided in section one thousand seven hundred seventy of the Political Code and is in lieu of the compensation provided for his services as such secretary of the board of education.

13. Supervisor. Each supervisor shall receive one hundred dollars per month and his actual expenses when attending to the business of the county by the order of the board of supervisors and mileage at the rate of twenty cents per mile, one way, for traveling from his residence to the county seat to attend regular, special and adjourned sessions of the board of supervisors, and mileage at the rate of twenty cents per mile, one way, for all actual distances traveled by him in the performance of his duties as road commissioner.

14. Classification of townships. In counties of this class the township officers shall receive the following compensation. For the purpose of fixing their compensation according to their duties, townships in counties of this class are hereby classified according to their population as follows: Townships having a population of eight thousand or more shall belong to and be known as townships of the first class; townships having a population of two thousand five hundred or more and less than eight thousand shall be known as townships of the second class; and townships having a population of less than two thousand five hundred shall belong to and be known as townships of the third class. For the purpose of determining the population of townships, the population shall be determined by the United States census taken in the year 1920.

15. Justices of the peace shall receive the following salaries: In townships of the first class one hundred dollars per month; in townships of the second class forty dollars per month; and in townships of the third class twenty dollars per month. Such salaries shall be paid at the same time and in the same manner as the salaries of county officers are paid. All fees received by justices of the peace shall be paid into the county treasury each month.

16. Constables shall receive the following salaries: In townships of the first class one hundred dollars per month; in townships of the second class forty dollars per month; and in townships of the third class twenty dollars per month; and constables shall also receive their actual traveling and other necessary expenses incurred in the performance of the duties of their offices and in pursuit and arrest of criminals and in the investigation of criminal offenses; *and provided*, that said constables, for their services in civil cases, shall be entitled to retain for their own use the mileage fee in civil cases, and all other fees received by them shall be paid into the county treasury each month.

17. Grand jurors and jurors in the superior court shall receive for each day's attendance three dollars; for each mile actually traveled in attending court as a juror, one way, twenty-five cents. Mileage shall be paid for each time a regular empaneled jury or grand jury shall be called in separate session.

18. Librarian, two thousand dollars; *and provided*, said librarian may appoint such assistants as shall be necessary for the expeditious transaction of the duties of his office, and the compensation of such assistants shall be paid out of the county library fund and upon verified claims filed with and allowed by the board of supervisors, and shall not exceed in any one calendar year the sum of five thousand dollars.

19. Compensation in full. Disposition of fees. The compensation provided in this section shall be in full compensation, exclusive of expenses, for all services of every kind and nature, rendered by the assessor, clerk, treasurer, tax collector, superintendent of schools, auditor, and recorder, their deputies and assistants, either as officers or ex-officio officers, unless in this section otherwise expressly provided, and all fees provided by section 4290 of the Political Code, all fees paid to the county clerk for the issuance of fishing or hunting licenses, all naturalization fees provided to be retained by the county clerk, all inheritance tax fees provided to be retained by the treasurer, all fees for the registration of birth or death certificates, and any and all other compensation or fees provided to be retained for their own use by any of the officers in this subdivision named, shall not be so retained, but shall be received by them, and then paid into the county treasury to the credit of the salary fund; *provided, however*, that any compensation or fee paid to any of said officers by any reclamation or drainage district, and any salary, compensation or fee provided by law to be paid to any county officer or officers or ex-officio

officers of levee district number one in said county of Sutter, shall be retained by such officer for his own use and not be paid into the county treasury."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 417—An act to add a new section to be numbered section 4½ to chapter 378 of the Statutes of 1915, entitled "An act to provide a central bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the Superintendent of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of birth and death; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons, and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict therewith." approved May 19, 1915, as amended, relating to the duties of the county health officer in counties having a freeholder's charter.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "add a new section to be numbered section 4½", and insert in lieu thereof the words "amend section 4".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 17 and 18 of the title of the printed bill, strike out the words "the county health officer in counties having a freeholder's charter", and insert in lieu thereof "health officers".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out all of the printed matter down to and including the period on page 2, line 5, and insert in lieu thereof the following: "SECTION 1. Section 4 of the act cited in the title is hereby amended to read as follows:

Sec. 4. The clerk of each city and incorporated town, having at least five thousand inhabitants at the last federal census shall be the local registrar in and for such primary registration district and shall perform all such duties of local registrar as hereinafter provided; *provided, however*, that in cities and counties, and cities wherein a health officer is provided for by a freeholders' charter or other applicable law or wherein the county health officer acts as city health officer under contract as authorized by law, the health officer shall act as local registrar and perform all the duties thereof. The state registrar, subject to the approval of the state board of health or its secretary, shall appoint a local registrar for each primary rural district whose term of office shall be four years, and whom the state registrar may remove forthwith for failure or neglect to perform his duty as prescribed by this act. Each local registrar, besides transmitting to the state registrar each original birth and death certificate registered by him and besides retaining a complete and accurate copy of each such birth and death certificate for the local record of the primary rural district as required by section 19 of this act, shall also transmit to the recorder of the county for a special county record a complete and accurate copy of each original birth and death certificate transmitted by said local registrar to the state registrar; *provided*, that the health officer of a city and county when acting as local registrar shall not be required to transmit copies of birth or death certificates to the county recorder thereof; *and provided, further*, that in accordance with sections 3076, 3078, and 3079 of the Political Code, the county recorder shall be the sole

local registrar for marriages performed anywhere in the county. Each local registrar shall immediately appoint a deputy in writing, whose duty it shall be to act in his stead in case of his absence or disability; and such deputy shall in writing accept such appointment, and be subject to all rules and regulations governing local registrars. And when it appears necessary for the convenience of the people in any registration district, the local registrar is hereby authorized, with the approval of the state registrar, to appoint one or more suitable persons to act as subregistrars, who shall be authorized to receive certificates and to issue burial or removal permits in and for such portions of the district as may be designated; and each subregistrar shall note, on each certificate, over his signature, the date of filing, and shall forthwith forward all certificates to the local registrar of the district, and in all cases before the third day of the following month; *provided*, that each subregistrar shall be subject to the supervision and control of the state registrar, and may be by him removed for neglect or failure to perform his duty in accordance with the provisions of this act or the rules and regulations of the state registrar, and shall be subject to the same penalties for neglect of duty as the local registrar.

All assistants and deputies of any health officer or clerk acting as local registrar shall be assistants and deputies registrar, and shall have all the powers and may perform all the duties of a local registrar in the name and stead of their principal."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 867—An act to amend section 19x41 of the Juvenile Court Law, relating to probation officers in counties of the forty-first class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "amend section 19x41 of", and insert in lieu thereof the following: "add section 19x36 to".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "forty-first", and insert in lieu thereof the following: "thirty-sixth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 19x36 is hereby added to the juvenile court law, to read as follows:

Sec. 19x36. In counties of the thirty-sixth class there shall be one probation officer whose salary shall be seventy dollars per month, and one assistant probation officer whose salary shall be fifty dollars per month."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 866—An act to amend section 2322x41 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-first class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322x41", and insert in lieu thereof the following: "2322x36".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "forty-first", and insert in lieu thereof the following: "thirty-sixth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "2322x41", and insert in lieu thereof the following: "2322x36".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert the following:

"2322x36. In counties of the thirty-sixth class, the commissioner shall receive a salary of three thousand six hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Fifteen inspectors at the compensation of six dollars per diem, each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed twelve thousand dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed one clerk, at a monthly salary of one hundred dollars, during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 863—An act to amend section 16x41 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-first class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "16x41", and insert in lieu thereof the following: "16x36".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "forty-first", and insert in lieu thereof the following: "thirty-sixth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "16x41", and insert in lieu thereof the following: "16x36".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"Sec. 16x36. In counties of the thirty-sixth class, deputy superintendents of weights and measures shall receive five dollars per day for each day actually employed in the county."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Constitutional Amendment No. 3—Proposed amendment to article IV of the constitution, relative to filing of initiative or referendum petition.

Senate Constitutional Amendment No. 3 ordered engrossed, and on file.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1608—An act to amend section 4283 of the Political Code, relating to compensation of county and township officers in counties of the fifty-fourth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in the Assembly March 6, 1931, strike out "4283", and insert in lieu thereof "4282".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in the Assembly March 6, 1931, strike out "4283", and insert in lieu thereof "4282".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1611—An act to amend section 16x54 Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-fourth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in the Assembly March 6, 1931, strike out "16x54", and insert in lieu thereof "16x53".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in the Assembly March 6, 1931, strike out "16x54", and insert in lieu thereof "16x53".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1614—An act to amend section 2322x54 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-fourth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in the Assembly March 6, 1931, strike out "2322x54", and insert in lieu thereof the following : "2322x53".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in the Assembly March 6, 1931, strike out "2322454", and insert in lieu thereof the following: "2322453".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1624—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in the Assembly March 6, 1931, strike out "4249", and insert in lieu thereof the following: "4251".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in the Assembly March 6, 1931, strike out "4249", and insert in lieu thereof the following: "4251".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, strike out "twentieth", and insert in lieu thereof the following: "twenty-second".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 19, of the printed bill, strike out "twentieth", and insert in lieu thereof the following: "twenty-second".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 8, line 9, of the printed bill, strike out "twentieth", and insert in lieu thereof the following: "twenty-second".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 51—An act to amend section 1 of an act entitled "An act to enable counties to purchase, lease, obtain, hold, improve and maintain land for the uses and purposes of public parks and boulevards," approved May 31, 1921, Statutes 1929, page 992.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the title of the printed bill, strike out the numerals "1921", and insert in lieu thereof the numerals "1929".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out the numerals "1921", and insert in lieu thereof the numerals "1929".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1609—An act to add a new section, to be numbered 9a54, to the act entitled “An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing ‘An act entitled “An act to provide county library systems,” approved April 12, 1909, and all acts and parts of acts in conflict with this act,’ ” approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1610—An act to add section 19x54, the Juvenile Court Law, relating to probation officers in counties of the fifty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1612—An act to amend section 16x20, Weights and Measures Act, relating to sealers of weights and measures in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1615—An act to amend section 2322x20 of the Political Code, relating to the office of agricultural commissioner in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 654—An act to add a new section to the Weights and Measures Act, approved June 16, 1913, as amended, to be numbered 16x2, relating to the salaries of the sealer of weights and measures, and deputies, in counties of the second class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 528—An act to repeal section 4230 of the Political Code, relating to salaries of officers in counties of the first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 47—An act to amend section 4075 of the Political Code of the State of California, relating to claims against counties.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 49—An act to amend the Political Code by adding thereto a new section to be numbered 4041k, relating to power of the board of supervisors to vacate or abandon drainage or sewage easements.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 212—An act to amend sections 1 and 3 of an act entitled “An act providing for the creation of revolving funds in the counties of the State,” approved May 9, 1923 (Stats. 1923, p. 289), relating to the amount and purposes of such funds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1616—An act to add section 19x20 to the Juvenile Court Law, relating to probation officers in counties of the twentieth class.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 472—An act in relation to the control and eradication of bovine tuberculosis; to provide an appropriation for the purposes of this act; to prescribe penalties for violation of the provisions hereof, and to repeal certain acts therein specified—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to the Committee on Finance.

Committee membership—13; committee vote: Ayes—9; noes—1; absent—2.

DUVAL, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Agriculture and Live Stock, the following amendments to Senate Bill No. 472 were read, and adopted:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, as amended in Senate March 18, 1931, between lines 19 and 20, insert the following:

"Cattle" and "bovine animals" mean neat cattle and shall be construed to import both the singular and plural, as the case demands.

(a) "Approved veterinarian" means a veterinarian who has been granted permission to buy, possess or use tuberculin as provided for in subdivision (a) of section 4 of this act."

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended in Senate March 18, 1931, strike out all of the lines 45 to 50, inclusive, and insert in lieu thereof the following: "Any tuberculosis control area shall consist of an entire county or group of entire counties. Immediately after this act becomes effective, the department of agriculture shall establish and maintain tuberculosis control areas in all areas in which tuberculosis eradication areas were established under the bovine tuberculosis law, chapter 47, statutes 1927."

AMENDMENT NUMBER THREE.

On page 4, line 5, of the printed bill, as amended in Senate March 18, 1931, after the word "owners", insert a comma.

AMENDMENT NUMBER FOUR.

On page 5, line 4, of the printed bill, as amended in Senate March 18, 1931, after the word "payment", insert "by the State of California," and after the word "hereunder", insert a comma.

AMENDMENT NUMBER FIVE.

On page 5, lines 22 and 23, of the printed bill, as amended in Senate March 18, 1931, strike out "for any reacting bovine animal in California".

AMENDMENT NUMBER SIX.

On page 8, line 42, of the printed bill, as amended in Senate March 18, 1931, strike out "except", and insert in lieu thereof "provided".

AMENDMENT NUMBER SEVEN.

On page 8, line 47, of the printed bill, as amended in Senate March 18, 1931, strike out "shall", and insert in lieu thereof "may".

Bill ordered to print, and re-referred to Committee on Finance.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Senate Bill No. 481, heretofore set as a special order for eleven o'clock and thirty minutes a.m., the same was taken up for consideration.

Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and without limiting the generality of the foregoing also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their

officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Bureau of Building and Loan Supervision and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354, of the Statutes of 1911, and acts amendatory thereof and supplemental thereto, chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 481 to Senator Duval, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 71, line 23, of the printed bill, after "appear", insert the following: "approved appraiser to be used".

AMENDMENT NUMBER TWO.

On page 71, between lines 36 and 37, of the printed bill, insert the following:

"No loan shall be made upon the appraisal of, nor shall compensation for any appraisal be paid to, any appraiser, officer or member of any committee who shall not have been first approved in writing by the commissioner for such association. Such approval may be subject to such limitations as may be provided by the commissioner, and may be revoked, for cause, after a hearing and due notice thereof first given to the appraiser and the association."

AMENDMENT NUMBER THREE.

On page 73, line 24, of the printed bill, strike out "and each section", and also strike out lines 25 to 28, inclusive, and insert in lieu thereof a period and the following:

"Each of the following sections of this act, and every section of each of the following articles of this act is hereby incorporated into and made a part of this article: sections 2.02, 2.04, 2.05, 2.06, 2.09, 8.08, 9.09, 10.02, 10.04, 10.05, 10.06, 10.08; and articles eleven, twelve, thirteen and fourteen."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 481, with instructions to amend, respectfully reports the same back, amended as per instructions.

DUVAL, Committee.

Report read, and on motion of Senator Inman adopted.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 481 to Senator Crittenden, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 26 of the printed bill, as amended in the Senate March 19, 1931, strike out all of lines 7 to 20, inclusive.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Jones, Inman and Mixter, on Senator Jones' motion to refer Senate Bill No. 481 to Senator Crittenden, as a Special Committee of One, for amendment.

The roll was called, and Senator Jones' motion lost by the following vote:

AYES—Senators Christian, Clock, Crittenden, Jones, and Schottky—5.

NOES—Senators Allen, Breed, Bush, Carter, Cassidy, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Sharkey, Slater, Swing, Treacy, Waggy, and Young—26.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Inman moved to refer Senate Bill No. 481 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 55, line 46, of the printed bill, as amended in the Senate March 19, 1931, strike out the period following the word "treasury", and insert in lieu thereof a semicolon and the following: "*provided, however*, that except in respect of special legal counsel employed pursuant to section 13.16 of this act, the commissioner shall at no time employ more than one attorney and that the compensation of such attorney shall not exceed forty-two hundred dollars per annum."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 481, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Committee

Report read, and on motion of Senator Inman adopted.

Bill ordered to print and re-engrossment.

RECESS.

On motion of Senator Breed, at twelve o'clock and fifty-four minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At 2 o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON MILITARY AFFAIRS.

SENATE CHAMBER, SACRAMENTO, March 20, 1931.

MR. PRESIDENT: Your Committee on Military Affairs, to which was referred Senate Bill No. 624—An act making an appropriation to secure a site and erect a home for women veterans of the United States army, navy or marine corps—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—9; absent—2.

HAYS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Military Affairs, the following amendments to Senate Bill No. 624 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, strike out "seventy-five", and insert in lieu thereof the following: "one hundred seventy-five".

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, strike out "veterans' welfare board", and insert in lieu thereof the following: "board of directors of the veterans' home of California".

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, after the word "site", insert the following: "at Yountville or adjacent thereto".

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, after the word "thereon", insert the following: "and maintaining".

Bill ordered to print, and re-referred to Committee on Finance.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 820—An act to appropriate the sum of \$250,000 out of any money in the State treasury, not otherwise appropriated, to lease the necessary facilities and service for the establishment of a telephone typewriter system of communication between cities in California and the Bureau of Criminal Identification and Investigation at Sacramento; and for the operation and control of the system under the direction of the Bureau of Criminal Identification and Investigation:

Also: Senate Bill No. 415—An act appropriating money to pay the claim of Southern Pacific Company, a corporation, based on five judgments recovered by it under the provisions of section 3669a of the Political Code;

Also: Assembly Bill No. 53—An act making appropriations for the support of the government of the State of California and for several public purposes in accordance with the provisions of section 34 of article IV of the constitution of the State of California, approved and adopted by the people at the general election held November 7, 1922, declaring the urgency thereof, and providing that this act shall take effect immediately;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—18; committee vote: Ayes—18.

SWING, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 820 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "two hundred fifty thousand", and insert in lieu thereof the following: "one hundred seventy-three thousand five hundred".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "two hundred fifty thousand", and insert in lieu thereof the following: "one hundred seventy-three thousand five hundred".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after the word "and", insert a comma, and insert after the word "maintaining", in said line, "and operating".

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, strike out "Marysville," and "Redding,".

AMENDMENT NUMBER FIVE.

On page 1, line 7, of the printed bill, strike out "Auburn," and "Fairfield,".

AMENDMENT NUMBER SIX.

On page 1, line 8, of the printed bill, strike out "Santa Rosa, Ukiah," and "Redwood City, San Jose,".

AMENDMENT NUMBER SEVEN.

On page 1, line 9, of the printed bill, strike out "Stockton, Modesto, Merced, Madera,".

AMENDMENT NUMBER EIGHT.

On page 1, line 10, of the printed bill, strike out "Ventura,".

AMENDMENT NUMBER NINE.

On page 1, line 11, of the printed bill, strike out "Santa Ana,".

Bill ordered to print, and re-referred to Committee on Finance.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 415 were read and adopted :

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following :

"An act making an appropriation to pay the claim of Southern Pacific Company, a corporation, against the State of California."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 6 to 11, inclusive, and insert in lieu thereof a period.

Bill ordered to print, and re-referred to Committee on Finance.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Assembly Bill No. 53 were read and adopted :

AMENDMENT NUMBER ONE.

On page 1, line 19, of the printed bill, as amended, strike out the word "incurred".

AMENDMENT NUMBER TWO.

On page 3, line 18, of the printed bill, as amended, strike out the figures "669", and insert in lieu thereof the figures "433".

AMENDMENT NUMBER THREE.

On page 3, line 19, of the printed bill, as amended, strike out the figures "433", and insert in lieu thereof the figures "669".

AMENDMENT NUMBER FOUR.

On page 3, line 27, of the printed bill, as amended, strike out the figures "699", and insert in lieu thereof the figures "669".

AMENDMENT NUMBER FIVE.

On page 3, line 35, of the printed bill, as amended, strike out the word "hun-", and insert in lieu thereof the word "hundred".

AMENDMENT NUMBER SIX.

On page 4, line 13, of the printed bill, as amended, after the figures "34,100", insert the word "dollars".

AMENDMENT NUMBER SEVEN.

On page 7, line 2, of the printed bill, as amended, after the word "purpose", insert the following : "or for acquisition and development of recreational fields".

AMENDMENT NUMBER EIGHT.

On page 8, line 13, of the printed bill, as amended, strike out the word "rection", and insert in lieu thereof the word "rectional".

AMENDMENT NUMBER NINE.

On page 8, line 17, of the printed bill, as amended, after the word "and", insert the word "other".

AMENDMENT NUMBER TEN.

On page 11, line 49, of the printed bill, as amended, after the word "refugees", insert the following words : "and farms".

AMENDMENT NUMBER ELEVEN.

On page 12, lines 36 and 37, of the printed bill, as amended, strike out the following : "state board of forestry,".

AMENDMENT NUMBER TWELVE.

On page 12, line 38, of the printed bill, as amended, after the word "from", insert the words "state board of forestry".

AMENDMENT NUMBER THIRTEEN.

On page 16, line 31, of the printed bill, as amended, strike out the word "steam", and insert in lieu thereof the word "stream".

AMENDMENT NUMBER FOURTEEN.

On page 17 of the printed bill, as amended, strike out all of lines 4 to 19, inclusive, and insert in lieu thereof the following:

"For investigation of water resources of Santa Barbara county, department of public works, twenty-five thousand dollars; said moneys to become available only in the event and at the times any sums are contributed to the state by the county of Santa Barbara or other local interest or interests for the same purpose and only in amounts equal to the sums so contributed; *provided*, that to the extent Santa Barbara county or other local interest or interests have contributed moneys to the state for the purpose herein set forth during the eighty-second fiscal year this limitation shall not apply ----- \$25,000 00".

AMENDMENT NUMBER FIFTEEN.

On page 17 of the printed bill, as amended, strike out all of lines 26 to 41, inclusive, and insert in lieu thereof the following:

"For investigation of water resources of Ventura county, department of public works, twenty-five thousand dollars; said moneys to become available only in the event and at the times any sums are contributed to the state by the county of Ventura or other local interest or interests for the same purpose and only in amounts equal to the sums so contributed-----\$25,000 00".

AMENDMENT NUMBER SIXTEEN.

On page 17 of the printed bill, as amended, strike out all of lines 42 to 51, inclusive, and insert in lieu thereof the following:

"For investigation of water resources of Monterey county, department of public works, seven thousand five hundred dollars; said moneys to become available only in the event and at the times any sums are contributed to the state by the county of Monterey or other local interest or interests for the same purpose and only in amounts equal to the sums so contributed----- \$7,500 00".

AMENDMENT NUMBER SEVENTEEN.

On page 18 of the printed bill, as amended, strike out all of lines 1 to 6, inclusive.

Bill ordered to print, and re-referred to Committee on Finance.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 558—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that in prosecutions for violations of said act under this section, the burden of proof shall rest upon the defendant to show compliance with said act;

Also: Senate Bill No. 555—An act to amend subdivision (c) of section 27 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by extending the limitation of time for the filing of proceedings for compensation where a release or compromise agreement has not been approved by the commission;

Also: Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 558, 555 and 161 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 567—An act to amend section 529 of the Code of Civil Procedure, relating to injunctions—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bill No. 567 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 233—An act to amend sections 2, 5 and 8 of an act entitled "An act to provide for the formation, management and dissolution of county waterworks districts; for supplying the inhabitants thereof with water; for levying and collecting taxes on property in such districts; and for the issuance of county waterworks district bonds and the payment thereof," approved June 13, 1913, (Stats. 1913, chapter 370, page 785) and to add a new section to said act, to be numbered 11a, providing for reimbursement of the county for costs incurred and directing the payment of proceeds of bond sales into certain funds;

Also: Assembly Bill No. 711—An act to provide for the disposition of the unpaid portion of the salary of a Legislator who dies during his term.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 233 read first time, and referred to Committee on County Government.

Assembly Bill No. 711 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1602—An act to amend section 16a51, Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-first class;

Also: Assembly Bill No. 1603—An act to amend section 2322a51 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-first class;

Also: Assembly Bill No. 1604—An act to add a new section, to be numbered 9a28, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the twenty-eighth class;

Also: Assembly Bill No. 1605—An act to amend section 4257 of the Political Code, relating to compensation of county and township officers in counties of the twenty-eighth class;

Also: Assembly Bill No. 1606—An act to amend section 16a28, Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-eighth class;

Also: Assembly Bill No. 1098—An act to amend section 4 of an act entitled "An act regulating private employment agencies, providing for a license for the operation thereof and a fee therefor, providing forms of receipts and registers to be used and kept, prohibiting any charge for registering or filing application for help or employment, prohibiting the dividing of fees, providing of fees, providing for the refunding of fees and expenses in the event of failure to procure employment, and granting the Commissioner of the Bureau of Labor Statistics the power to prescribe rules and regulations to carry out the purpose and intent of this act," approved June 3, 1913, as amended, relating to suspension and revocation of licenses;

Also: Assembly Bill No. 230—An act to amend section 1 of an act entitled "An act authorizing counties to declare noxious or dangerous weeds growing upon the streets or sidewalks or upon private property in counties, to be a public nuisance, creating a lien upon the property fronting upon such streets or sidewalks or upon which such nuisance exists for the cost of abating the same, and providing that such cost shall constitute special assessments, and providing for the enforcement and collection of such special assessments," approved May 24, 1929, relating to the powers of supervisors to declare existence of public nuisance.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1602, 1603, 1604, 1605 and 1606 read first time, and referred to Committee on County Government.

Assembly Bill No. 1098 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 230 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1074—An act to amend section 4249 of the Political Code, relating to compensation of county and township officers in counties of the twentieth class;

Also: Assembly Bill No. 1530—An act to amend section 16x20 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twentieth class;

Also: Assembly Bill No. 1535—An act to amend section 2322x23 of the Political Code, relating to the salary of the horticultural commissioner, his deputies and inspectors in counties of the twentieth class;

Also: Assembly Bill No. 1536—An act to amend section 19x23 of the Juvenile Court Law, relating to the compensation of probation officers in counties of the twentieth class;

Also: Assembly Bill No. 1582—An act to amend section 2322x49 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-ninth class;

Also: Assembly Bill No. 1585—An act to amend section 2322x28 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-eighth class;

Also: Assembly Bill No. 1586—An act to amend section 19x28 of the Juvenile Court Law, relating to probation officers in counties of the twenty-eighth class;

Also: Assembly Bill No. 1588—An act to amend section 2322x46 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-sixth class;

Also: Assembly Bill No. 1593—An act to amend section 2322x45 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fifth class;

Also: Assembly Bill No. 1600—An act to add a new section, to be numbered 9a51, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fifty-first class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1074, 1530, 1535, 1536, 1582, 1585, 1586, 1588, 1593 and 1600 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 551—An act to amend section 2176 of the Political Code, relating to the Department of Institutions;

Also: Assembly Bill No. 616—An act to amend chapter 801, Statutes of 1929, entitled "An act regulating the practice of civil engineering," approved June 14, 1929, by amending sections 1, 11, 12, 13, 14, 15, 16 and 17 thereof, relating to the purpose of the act and to the registration of practitioners thereunder, and by adding a new section thereto, to be numbered 1a, embracing a definition of terms;

Also: Assembly Bill No. 1083—An act to amend section 1 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Industrial Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement, and providing penalties for violations," approved April 23, 1929;

Also: Assembly Bill No. 57—An act to amend section 4256 of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-seventh class;

Also: Assembly Bill No. 1046—An act to amend an act entitled "An act concerning the guardianship of incompetent veterans and of minor children of disabled or deceased veterans, and the commitment of veterans and to make uniform the law with reference thereto," approved June 3, 1929, by amending section 11 thereof;

Also: Assembly Bill No. 248—An act to amend section 4282 of the Political Code, relating to compensation of county officers in counties of the fifty-third class;

Also: Assembly Bill No. 1794—An act to amend section 16x27, Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-seventh class;

Also: Assembly Bill No. 1796—An act to amend section 16a37, Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-seventh class;

Also: Assembly Bill No. 1827—An act to amend section 2322a37 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-seventh class;

Also: Assembly Bill No. 1845—An act to amend section 19a37 of the Juvenile Court Law, relating to probation officers in counties of the thirty-seventh class.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 551 and 616 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 1083 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 57 read first time, and referred to Committee on County Government.

Assembly Bill No. 1046 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 248, 1794, 1796, 1827 and 1845 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 164—An act to add a new section to be numbered 784a to the Penal Code of the State of California, providing for and relating to the jurisdiction of criminal actions for slander and in what county or counties such criminal actions shall be commenced and tried.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 164 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 617—An act to amend section 3881 of the Political Code, relating to assessor maps—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 617—An act to amend section 3881 of the Political Code, relating to assessor maps.

ASSEMBLY AMENDMENT TO SENATE BILL NUMBER SIX HUNDRED SEVENTEEN.

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, following the word "assessors", insert the words "books and".

The question being: Shall the Senate concur in Assembly amendment to Senate Bill No. 617?

The roll was called, and Assembly amendment to Senate Bill No. 617 concurred in by the following vote:

AYES—Senators Baker, Breed, Cassidy, Clock, Edwards, Evans, Harper, Hays, Ingels, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Young—22.

NOES—None.

Senate Bill No. 617 ordered to print, and enrollment.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Sharkey:

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the state, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 73—An act to amend section 7 of chapter 361, Statutes of 1915, entitled "An act to create a levee district to be called and designated Sacramento River West Side Levee District; to prevent the overflow of flood waters from the Sacramento River from flooding on to the lands within said district by the construction of levees along the west bank of the Sacramento River and adjacent thereto and maintain the same; providing for the election and appointment of officers of said levee district; defining the powers, duties and compensation of such officers; and providing for levying and collecting assessments upon the lands within said levee district," approved May 18, 1915.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 73 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Clock, Duval, Edwards, Evans, Harper, Hays, Ingels, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagay, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 25—An act to amend sections 851, 852, 852a, 853, 854, 855, 857, 858, 859, 860, and 861 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Assembly Bill No. 25 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 24, of the printed bill, strike out the word "recorder", and insert in lieu thereof the word "judge".

AMENDMENT NUMBER TWO.

On page 3, line 40, of the printed bill, strike out the word "recorder", and insert in lieu thereof the word "judge".

AMENDMENT NUMBER THREE.

On page 5, line 1, of the printed bill, strike out the word "recorder", and insert in lieu thereof the word "judge".

AMENDMENT NUMBER FOUR.

On page 5, line 3, of the printed bill, after the word "ordinance", add the following: "or resolution".

AMENDMENT NUMBER FIVE.

On page 5, line 25, of the printed bill, after the word "ordinance", add the following: "or resolution".

AMENDMENT NUMBER SIX.

On page 8, line 22, of the printed bill, strike out the first word "of", and insert in lieu thereof the word "or".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 25, with instructions to amend, respectfully reports the same back, amended as per instructions.

SHARKEY, Committee.

Report read, and on motion of Senator Swing adopted.
Bill ordered to print.

Assembly Bill No. 24—An act to amend sections 868, 870, 871, 872, 873, 874, 875, 876, 878, 879, 880, 881, 882, 883, and 884 of chapter 49. Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 24 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Clock, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1883—An act making an appropriation for completing the construction, furnishing and equipping of the State

Building at Los Angeles, California, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1883:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,
SACRAMENTO, March 16, 1931.

To the Honorable Members of the Senate,
Sacramento, California.

Assembly Bill No. 1883 makes an appropriation for the completion of the construction, furnishing, and equipment of the State Building in Los Angeles, California. This appropriation will make possible the saving of approximately \$250,000 by adding, while the building is in process of construction, to the original contemplated building two additional wings which are needed to provide space necessary to house branch offices of the State in that city.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully,

JAMES ROLPH, JR., Governor.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

Resolved, That Assembly Bill No. 1883 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wag, Williams, and Young—30.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1883.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND
EIGHT HUNDRED EIGHTY-THREE.

Assembly Bill No. 1883—An act making an appropriation for completing the construction, furnishing and equipping of the State Building at Los Angeles, California, declaring the urgency thereof, and providing that this act shall take effect immediately.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: The existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State

to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, Williams, and Young—30.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1883 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1893—An act making an appropriation to meet a deficiency in the appropriation for the support of the Department of Public Works for the eighty-first and eighty-second fiscal years, declaring the urgency thereof and providing that the act shall take effect immediately.

ARTHUR A. OHNMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1893:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE.

SACRAMENTO, March 16, 1931.

*To the Honorable Members of the Senate,
Sacramento, California.*

Assembly Bill No. 1893 makes an appropriation to meet a deficiency in the support appropriation of the Department of Public Works to care for the fees of architects in private practice who have been engaged by the Division of Architecture to speed the construction work in the various State institutions.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully,

JAMES ROLPH, JR., Governor.

RESOLUTION.

The following resolution was offered:

By Senator Swing:

Resolved, That Assembly Bill No. 1893 represents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Harper, Hays, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wag, Williams, and Young—28.

NOES—Senator Moran—1.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1893.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND
EIGHT HUNDRED NINETY-THREE.

Assembly Bill No. 1893—An act making an appropriation to meet a deficiency in the appropriation for the support of the Department of Public Works for the eighty-first and eighty-second fiscal years, declaring the urgency thereof and providing that the act shall take effect immediately.

URGENCY CLAUSE.

Sec. 2. Inasmuch as this act provides an appropriation for the usual current expenses of the State it is hereby declared an urgency measure and shall, under the provisions of section 1 of article IV of the constitution, take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wag, Williams, and Young—29.

NOES—Senators Moran, and Rochester—2.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1893 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixter, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wag, and Young—28.

NOES—Senators Christian, Moran, and Rochester—3.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Rich gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 1893 was passed.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read :

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1894—An act making an appropriation for survey, appraisal, and purchase of land, and construction and equipment of dairy unit at Preston School of Industry, declaring the urgency thereof, and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read :

CASE OF URGENCY.

RECOMMENDATION OF THE GOVERNOR.

In accordance with article IV, section 34 of the constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1894:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE,

SACRAMENTO, March 17, 1931.

*To the Honorable Members of the Senate,
Sacramento, California.*

Assembly Bill No. 1894 makes an appropriation for the purchase, survey, and appraisal of land, and the construction of a dairy unit at the Preston School of Industry. This item is included as a recommendation on page 130 of the budget and should be made available immediately to provide necessary housing facilities of the dairy unit at that institution.

In my opinion the appropriation necessary for such expenditure constitutes an emergency within the meaning of article IV, section 34, of the constitution, and I therefore recommend the passage of this bill as an emergency measure.

Respectfully,

JAMES ROLPH, JR., Governor.

RESOLUTION.

The following resolution was offered :

By Senator Swing :

Resolved, That Assembly Bill No. 1894 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote :

AYES—Senators Allen, Baker, Breed, Cassidy, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, Williams, and Young—31.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1894.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND EIGHT
HUNDRED NINETY-FOUR.

Assembly Bill No. 1894—An act making an appropriation for survey, appraisal and purchase of land, and construction and equipment of dairy unit at Preston School of Industry, declaring the urgency thereof, and providing that this act shall take effect immediately.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety, within the meaning of section 1 of article IV of the constitution, and shall therefore go into immediate effect. The facts constituting the necessity are as follows: the existing buildings, structures, and equipment are wholly insufficient and inadequate to enable the State to discharge its duty properly to house, care for, and protect the persons and property for whom or for which housing facilities or accommodations will be made available by this appropriation.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, Williams, and Young—33.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1894 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Evans to introduce a bill entitled—"An act to amend section 4041.21 of the Political Code, relating to the powers of boards of supervisors"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, Williams, and Young—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Evans: Senate Bill No. 933—An act to amend section 4041.21 of the Political Code, relating to the powers of boards of supervisors.

Bill read first time, and referred to Committee on County Government.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 853—An act to repeal chapter II of part II of division I of the School Code, and to amend sections 1.70, 1.80, 1.144 and 1.180 thereof, and to add thereto a new chapter II of part II of division I, embracing sections 1.350 to 1.430, inclusive, and new sections to be numbered 1.35, 1.36, 1.71 and 1.81, and to repeal those certain acts in this act enumerated and described, all relating to pupils in the public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 853 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE JOINT RESOLUTION No. 3.

Relative to hours of employment of persons on interstate carriers.

WHEREAS, Under the provisions of the laws of the United States persons employed on interstate railroads are required to remain on duty 16 consecutive hours; and

WHEREAS, Such extended period of continuous employment tends to the physical exhaustion and the consequent inefficiency of such employees, increasing the danger of mishap; therefore be it

Resolved by the Senate and Assembly of the State of California, jointly. That the Legislature of this State hereby urges upon the Congress of the United States the adoption of a law limiting the hours of employment of such persons to 12 consecutive hours in any 24 consecutive hours, and declaring that such employees shall remain off duty at least 12 consecutive hours.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 3 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, Williams, and Young—30.

NOES—Senator Moran—1.

Title read and approved.

Senate Joint Resolution No. 3 ordered transmitted to the Assembly.

Senate Bill No. 52—An act relating to the liability in damages of municipalities, counties, cities and counties, school districts and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property; prescribing the duties of the officers thereof in such cases, authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect them against such liability, and repealing chapter 328, Statutes of 1923, entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the

payment of costs of actions in certain instances, approved June 13, 1923," limiting the liability of municipalities, counties, cities and counties, school districts or other public or quasi-public corporations for the negligence of their respective officers in certain instances.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 52 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 53—An act relating to the liability in damages of officers of municipalities, counties, cities and counties, school districts, and the State of California, in the case of injuries to persons or property resulting from the defective or dangerous condition of public streets, highways, bridges, buildings, works or property, and alleged to be due to the negligence or carelessness of such officers; prescribing the duties of claimants in such cases, authorizing the State and such public or quasi-public corporations to take out and pay for insurance to protect their officers against such liability, and repealing chapter 360, Statutes of 1919, entitled "An act relating to the liability in damages of the officers of districts, towns, cities, cities and counties, counties and of the State of California for injuries to persons or property resulting from defects and dangers in public streets, highways, bridges, buildings, work or property, prescribing the duties of certain public officers with respect thereto, and repealing an act entitled 'An act relating to the liability of public officers for damages resulting from defects and dangers in streets, highways, public buildings, public work or property,' approved April 26, 1911," relating to the liability in damages of the officers of districts, towns, cities and counties, counties, and of the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 53 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 448—An act to amend section 1142 of the Political Code, relating to boards of election, appointment and duties of election officers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 448 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Edwards, Fellom, Harper, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Sharkey, Slater, Swing, Treacy, Wagly Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 807—An act defining the civil liability for failure to control fire.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 807 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Fellom, Harper, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Wagly, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 408—An act to amend sections 347½ of the Penal Code, relating to the sale and use of drugs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 408 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Treacy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 207—An act to amend sections 3, 4 and 5 of chapter 343 of the Statutes of 1931, entitled "An act to provide for leasing kelp beds in the waters of the State of California by the Board of Fish and Game Commissioners," and to repeal section 7 thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 207 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 166—An act to amend section 470 of the Civil Code, relating to the use of streets and public land or water within incorporated cities or towns.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 166 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Treacy, and Waggy—30.

NOES—Senators Fellom, Slater, and Young—3.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Jones gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 166 was passed.

Senate Bill No. 435—An act to add a new section to the Political Code, to be numbered section 393a, providing where certain actions may be commenced and tried, and for the change of place of trial of such actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 435 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Waggy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 522—An act to amend section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Nelson moved to refer Senate Bill No. 522 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 4, line 33, of the printed bill, as amended in the Senate March 20, 1931, after "supervisors", insert "and assessor".

AMENDMENT NUMBER TWO.

On page 4, line 38, of the printed bill, as amended in the Senate March 20, 1931, after "board", insert "of supervisors and the assessor of said county or city and county".

AMENDMENT NUMBER THREE.

On page 5, line 15, of the printed bill, as amended in the Senate March 20, 1931, after "assessments.", insert "The expenses of the work of the appraisal or reappraisal of the taxable property, or any class thereof, within the county or city and county, shall be a charge against the funds of said county, or city and county,"; at the end of the line, strike out "The", and insert in lieu thereof "and the".

AMENDMENT NUMBER FOUR.

On page 5, lines 20 to 22, of the printed bill, as amended in the Senate March 20, 1931, strike out "the work of the appraisal or reappraisal of the taxable property

or any class thereof within the county or city and county", and insert in lieu thereof "said work".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 522, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Nelson adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 36⁷ thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36g, relating to modification of court decrees as to quantities of water awarded.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Bush moved to refer Senate Bill No. 760 to Senator Allen, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, strike out line 13, and insert in lieu thereof the following:

"SEC. 2. A new section is hereby added to said act to".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 760, with instructions to amend, respectfully reports the same back, amended as per instructions.

ALLEN, Committee.

Report read, and on motion of Senator Bush adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 47—An act to add section 5.128 to the School Code, relating to the requirements to be met by persons applying for credentials for employment in the public schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 47 passed by the following vote:

AYES.—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 377—An act to amend the School Code of the State of California by adding section 4.982 thereto, relating to school bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 377 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McCormick, McKinley, Mixter, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 903—An act to add a new section to the Civil Code to be known as section 453*g*, relative to the registration of life insurance policies issued by assessment companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 903 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cleveland, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Jones, McCormick, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Senate Bill No. 286—An act to create the Trinity and Klamath River Fish and Game District, and to prohibit, to provide penalties for, and to declare a public nuisance the mudding, roiling and polluting of the waters of said district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 286 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Jones, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Scottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At four o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m.. Wednesday, March 25, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER.

SACRAMENTO, Wednesday, March 25, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Harper, Ingels, Inman, Maloney, McCormack, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—33.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 24, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Pittsburg Junior High School, Margaret Stone, Maybert Brush and Mrs. Youngberg, teachers in charge; and pupils as follows: Rose Madrazo, Diana Colombo, Esther Russo, Arnold Guerassio, Rosie Gaspardoni, Charles Fenenbock, John Troia, Frank Bruno, Claude Bruno, Geraldine Canavesio, Audrey King, Patricia Haynes, Josephine Seeno, Congie Bruno, Eva Zendejas, Alaire Davis, Dolan Evans, Walter Laederich, Bob Saling, Jack Fortson, Frances Martorella, Vivian White, Cosma Cardinale, Mary Colosimo, Jean Scott, Jack Thornton, Arasmo Cardinalli, Melvin Buffo, Antone Aiello, Fara Orlando, Mary Enea, Beatrice Battaglia, Gretchen Polder, Lily Mellor, Douglass Vieira, Thomas Septien, Mary Russo, Jack Glover, Paul Soite, Suzette Chapin, Sarah Davi, Zola Howerton, Armand Stow, Jane Marshall, John Ward, Raymond Thomason, Billy Jones, Sammy Enea, Blanche Williamson, Blas Rodriguez, Andrew Aiello, Frances Gaspardoni, Ratzl Bonanno, John Gildi, Vincent Sbranti, Tony Gallegos, Grace Mereurio, Mary Lucido, Jennie Gambalie, Lois Lincoln, Dorothy Downing, Bessie Evola, Alice Mortimore, Horace Aiello, Alice Nielsen, Mamie Billeci, Marie Costanza, Jennie Beratto, Irene Beratto, Norman Grabstein, Irving Carusa, Billy Adams, Constance Grabstein, Russell Wheeler, Donald McMullen, Robert Lynch, William Cheang, Ed Linscheid, Ruth Gapen, Joe Balesteri, Vincent Seeno, Frank Siino, Esther Ong, Fred Rosencrans, Peter Peralta, Mary Jane Smith, Audrey Ogdon and Esther Ricca.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Tom R. Gerdes of San Francisco, and Xum H. Span and W. R. Foster of Salinas.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ben Foster of Lakeville.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committee were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs;

Also: Senate Bill No. 597—An act to revise and consolidate the law relating to guardianship, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law herein revised and consolidated and herein specified; and to establish a division of the Probate Code;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code;

Also: Senate Bill No. 66—An act to amend section 4041.10 of the Political Code, relating to the changing of boundaries of election precincts;

Also: Senate Bill No. 123—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class;

Also: Senate Bill No. 126—An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal chapter 32, Statutes of 1911, extra session, entitled "An act to provide for the recall of elective officers of incorporated cities and towns," approved January 2, 1912;

Also: Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation;

Also: Senate Bill No. 179—An act to amend section 2322r24 of the Political Code, relating to the county horticultural commissioner, his deputies, inspectors and clerks in counties of the twenty-fourth class;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 773—An act to amend chapter 387, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts, approved June 13, 1913, as amended, by amending the title and sections

2, 2b, 2d, 4, 5, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts; the election, appointment, qualifications, compensation, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; the jurisdiction and supervision of county boards of supervisors thereover; fees of county officers; the assessment, fixing of rate, levy and collection of taxes therefor; issuance, approval and sale of bonds; receipt and disposition of moneys; incurrence, payment and discharge of debts and obligations; the acquisition, transfer, disposition and sale of property and property rights thereof and the making of contracts, leases and agreements in respect thereto; the annexation and exclusion of lands; the office of the district; the securing, use, distribution and apportionment of water for irrigation purposes and the irrigation of lands therein; the obtaining, maintaining, operating, using and constructing of irrigation works; and providing a short title for this act—and reports that the same has been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 171—An act to add a new section to the Penal Code to be numbered 636, relating to the protection of fish—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 587—An act to amend section 2 of chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 328—An act to amend section 5 of chapter 250, Statutes of 1923, entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by providing for the sale and disposition by such districts of water, sewage effluent, fertilizer and other by-products resulting from the operation of sewage plants, and for the conservation of water.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 485—An act to amend section 2 of chapter 319, Statutes of 1913, entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,' " relating to examination fees.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 681—An act to promote the development of the California ripe olive industry and to prevent deception in the packing and sale of canned ripe olives by establishing and defining certain standards

for canned ripe olives, defining the powers and duties of the Director of the Department of Agriculture in relation hereto including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provision hereof.

Bill read second time, ordered engrossed, and on file for third reading :

Senate Bill No. 446—An act to prevent fraud and deception and to protect the general welfare by establishing standards and standard containers for certain fruits, nuts and vegetables ; and to that end regulating the sale, offer for sale, shipment, transportation, loading, packing, marking and disposal of fruits, nuts and vegetables ; and repealing "The California Fruit, Nut and Vegetable Standardization Act of 1927," chapter 865, Statutes of 1927, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, strike out "The California fruit.", and strike out all of lines 7 and 8, in said title, and insert in lieu thereof "certain acts therein named."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill, strike out "the stage of maturity which will indicate", and insert in lieu thereof "that stage of ripeness which will insure".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed bill, strike out the period, and insert in lieu thereof "after the removal of the product from the tree, plant or vine."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 19, of the printed bill, strike out "for resale".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 22, of the printed bill, following the word "placing", insert "or presence".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 11, of the printed bill, strike out "other", and insert in lieu thereof "any".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 15, of the printed bill, strike out "such places and".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 19, of the printed bill, after the first "such", in said line, insert "representative".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 43, of the printed bill, strike out "of", and insert in lieu thereof "or".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 48, of the printed bill, strike out "of", and insert in lieu thereof "or".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 49, of the printed bill, strike out "all", and insert in lieu thereof "the".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 4, of the printed bill, strike out "After due and proper written notice, if the", and insert in lieu thereof "If, after due and proper written notice of such violation is given to the".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 5, of the printed bill, after "vegetables", insert ", such packer or owner".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 19, of the printed bill, strike out "and", and insert in lieu thereof "or".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 5, line 7, of the printed bill, after "vegetables", insert "to describe the contents thereof,".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 5, line 8, of the printed bill, after "conspicuously", insert "marked,".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 5, line 34, of the printed bill, strike out the period, and insert in lieu thereof "which shall mean that the fruit, nut or vegetable is compacted with sufficient solidity so that it will not move in the container."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 5, line 52, of the printed bill, following the comma after "onions", insert "peas,".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 6, line 16, of the printed bill, strike out "five", and on the same page strike out all of line 17, and insert in lieu thereof "one-half of an inch in diameter."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 6, strike out all of lines 43 and 44, of the printed bill, and insert in lieu thereof "portion shows an oil content of less than eight per cent by weight."

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 6 of the printed bill, strike out all of lines 49, 50 and 51, and insert in lieu thereof "aged the flesh and free from damage caused by sun, frost, bruises, disease, or other means."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 7 of the printed bill, strike out all of lines 1 and 2.

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 7, line 4, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 7, line 6, of the printed bill, strike out the period, and insert in lieu thereof " , but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 7, line 12, of the printed bill, strike out "section 37", and insert in lieu thereof "section thirty-eight".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 7, line 22, of the printed bill, after the last comma in said line, insert "rain,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 7, line 24, of the printed bill, strike out "twenty", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 7, line 27, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 7, line 29, of the printed bill, strike out the period and insert in lieu thereof " , but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 7 of the printed bill, strike out all of lines 37 to 52, inclusive, and insert in lieu thereof the following:

"Sec. 18. Standard for citrus fruits. Citrus fruits shall be mature and free from decay; and free from serious damage, as defined in this section, caused by freezing, drying at the stem or blossom end (resulting from causes other than freezing), splits, bruises, and punctures, and in case of packed citrus fruits shall be virtually uniform in size. Damage by drying at the stem or blossom end resulting from causes other than freezing shall not be considered serious unless twenty per cent or more of the pulp shows a marked drying or desiccation. Damage from freezing to any one fruit shall not be considered serious unless it causes a drying or desiccation in twenty per cent or more of the exposed pulp as shown on a transverse cut through the center, or causes before the drying process develops a water soaked appearance, or evidence of previous water soaking, or the presence of crystals or crystalline deposit, on the two surface membranes of each of two or more segments, as shown on the separation of the segments one from another, of a section, not less than one inch or more than one and one-half inches in thickness, of the central portion of the fruit, obtained by cutting off a portion of

each end—the evidence of freezing injury to show for the entire length but not necessarily the entire area of the surface membranes.

The percentage of serious damage by freezing injury or other defects in any lot of citrus fruits, packed, loose, in containers, or in bulk, may be established by inspection of a representative sample which shall consist of not less than one hundred fruits. Damage caused by splits, bruises, or punctures in any citrus fruit shall not be considered serious if the injury is well healed and free from mold or decay.

With the exception of serious damage caused by freezing or drying at the stem or blossom end resulting from causes other than freezing, not more than ten per cent, by count, of the citrus fruit in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause. In the case of serious damage by freezing injury or by drying at the stem or blossom end resulting from causes other than freezing, not more than fifteen per cent, by count, of the citrus fruit in any one container or bulk lot may be below these requirements.

It is further provided that any packed, wrapped citrus fruit which has been in storage or shipped by rail and which fails to meet the requirements of this standard only by reason of brown rot, blue mold, or green mold which has occurred after packing, shall not be held for violation of the provisions of this act on account of such deterioration.

Oranges shall not be deemed mature under the provisions of this act unless the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of eight parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water of crystallization, and have attained at least twenty-five per cent of characteristic color before picking; *provided, however*, that oranges which are at least seventy per cent colored at the time of picking shall be deemed mature if the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of six and one-half parts to every part of acid contained in the juice; *provided, further*, that no oranges may be accelerated in color unless the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of eight parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water of crystallization.

"Twenty-five per cent of characteristic color" in the case of oranges is defined as that color designated by the Munsell color notation as hue four green-yellow, value four, chroma three, (4GY4/3), and "seventy per cent colored" as hue three yellow, value six, chroma five, (3Y6/5). Oranges shall be considered as having exceeded twenty-five or seventy per cent color if the average hue of the surface of each fruit is numerically less than four green-yellow or three yellow respectively, regardless of the other components of the color.

Grapefruit shall not be deemed mature under the provisions of this act unless the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of five and one-half parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water of crystallization, and have attained at least twenty-five per cent of characteristic yellow color before picking; *provided, however*, that grapefruit which are at least seventy per cent colored at the time of picking shall be deemed mature if the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of five parts to every part of acid contained in the juice; *provided, further*, that no grapefruit may be accelerated in color unless the juice contains soluble solids, as determined by a Brix scale hydrometer, equal to or in excess of five and one-half parts to every part of acid contained in the juice, the acidity of the juice to be calculated as citric acid without water of crystallization.

"Twenty-five per cent characteristic yellow color" in the case of grapefruit is defined as that color designated by the Munsell color notation as hue ten yellow, value five, chroma three, (10Y5/3), and "seventy per cent colored" as hue seven yellow, value seven, chroma six, (7Y7/6). Grapefruit shall be considered as having exceeded twenty-five or seventy per cent color if the average hue of the surface of each fruit is numerically less than ten yellow and seven yellow respectively, regardless of the other components of the color."

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 8 of the printed bill, strike out all of lines 1 to 52, inclusive.

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 9 of the printed bill, strike out all of lines 1, 2, and 3, and insert in lieu thereof the following:

"SEC. 19. Standard for dates. Dates shall be free from mold, decay, worms, fermentation, and sourness."

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 9, line 5, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 9, line 8, of the printed bill, strike out "fresh or dried".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 9, line 21, of the printed bill, strike out the period and insert in lieu thereof "; however, grapes of all varieties must at least meet the standard for juice grapes."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 9, line 30, of the printed bill, strike out "Palomino".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 9, line 34, of the printed bill, strike out "Golden Chasselas".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 9, line 35, of the printed bill, strike out "Sultana".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 9, line 37, of the printed bill, strike out "Verdal".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 10 of the printed bill, strike out all of lines 21 to 28, inclusive, and insert in lieu thereof the following:

"Standard for table grapes. Table grapes shall consist of bunches of grapes which are mature; and free from serious damage, as defined in this section, caused by any or all of the following defects: mildew and insect injury which has penetrated or damaged the flesh of the berry, mold, decay, severe freezing injury, raisined berries, sunburned or dried berries and waterberry or redberry. Damage to any one bunch shall not be considered serious unless more than five per cent, by count, of the berries on any one bunch are affected by any or all of the above defects."

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 10, line 30, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 10, line 37, of the printed bill, strike out "ten", and insert in lieu thereof "fifteen".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 10 of the printed bill, strike out all of lines 40 to 44, inclusive, and insert in lieu thereof the following:

"If grapes meet the requirements of the standard for table grapes the containers of such grapes may be marked with the term "table grade" or "table grapes"."

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 11 of the printed bill, strike out all of lines 4 to 14, inclusive.

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 11, line 19, of the printed bill, strike out "the varieties Malaga and Thompson seedless shall test".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 11 of the printed bill, strike out all of line 20.

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 11, line 21, of the printed bill, strike out "and in both district one and two".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 11, line 24, of the printed bill, after the last comma in said line, insert "Khandahar, Dattier de Beyrouth, Red Malaga,".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 11 of the printed bill, strike out all of lines 35 to 39, inclusive, and insert in lieu thereof "placing any varieties included in group A in the standard for juice grapes nor to prevent placing any other varieties in the standard established for table grapes, but regardless of standard, any varieties".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 12, line 16, of the printed bill, strike out "twenty", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 12, line 18, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 12, line 20, of the printed bill, strike out the period and insert in lieu thereof " , but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 12, line 24, of the printed bill, strike out "one-half", and insert in lieu thereof "three-eighths".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 12 of the printed bill, strike out lines 28 to 38, inclusive, and insert in lieu thereof "mature but not overripe, free from codlin moth larvae, mold, decay, black end, unsealed cuts and skin breaks; and free from serious damage, as defined in this section, caused by hail, scab or other diseases, hard end, bruises, limb rubs, frost, codlin moth larvae or other insects.

Damage to any one pear shall not be considered serious when it is caused by: (1) scab, unless the spots cover an aggregate area of more than one-half of an inch in diameter; (2) hail damage, unless it affects an aggregate area of more than one-half inch in diameter or is more than one-fourth of an inch in depth; (3) codlin moth larvae, unless it causes unhealed stings or holes, however, superficial well healed codlin moth stings shall not be considered serious; (4) thrip mark, blister mite or other superficial blemishes caused by insects, unless more than ten per cent of the surface of the fruit is affected or they cause a depression of more than one-fourth of an inch in depth; (5) other diseases, limb rubs, frost, bruises or hard end, unless such defects cause a waste of more than ten per cent, by weight, of the individual pear.

In order to allow for variation incident to proper grading and handling, not more than ten per cent, by count, of the pears in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause; however, pears which fail to meet these requirements only because of serious damage caused by hail, shall be considered as complying with this standard, if the container in which they are packed or placed is plainly and conspicuously marked, on the outside of one end thereof, in letters not less than one-half inch in height, with the words "hail marked".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 12, line 42, of the printed bill, strike out "one-half", and insert in lieu thereof "three-eighths".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 12, line 47, of the printed bill, after "color", insert the following: "as indicated by the color chart prepared by the state department of agriculture."

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 13, line 17, of the printed bill, strike out "twenty", and insert "ten".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 13, line 20, of the printed bill, strike out "five", and insert "ten".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 13, line 22, of the printed bill, strike out the period and insert in lieu thereof ", but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 13, line 30, of the printed bill, strike out "two-thirds of the", and insert in lieu thereof "the entire".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 13, line 39, of the printed bill, strike out "twenty", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 13, line 42, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 13, line 44, of the printed bill, strike out the period and insert in lieu thereof ", but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 14, line 5, of the printed bill, strike out "twenty", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 14, line 11, of the printed bill, strike out "five", and insert "ten".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 14, line 13, of the printed bill, strike out the period and insert in lieu thereof "but not to exceed one-half of this tolerance, or five per cent. shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 14, line 23, of the printed bill, after the comma, insert "when measured in a one-fourth inch cell."

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 14, line 28, of the printed bill, after "penetrated", insert "or damaged".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 14, line 32, of the printed bill, strike out "twenty", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 14, line 35, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 14, line 37, of the printed bill, strike out the period and insert in lieu thereof "but not to exceed one-half of this tolerance, or five per cent. shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 14, line 52, of the printed bill, strike out "it causes a waste of twenty-five per cent", and insert in lieu thereof "such defects cover".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 15, line 1, of the printed bill, strike out "by weight, or covers".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 15, line 4, of the printed bill, strike out "at least", and insert in lieu thereof "more than".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR a.

On page 15, line 21, of the printed bill, strike out "Shows discoloration.", and insert in lieu thereof "or that portion of the stem extending one and one-half inches or less, below the bottom of the artichoke, is discolored due to this cause."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 15, line 23, of the printed bill, strike out "a waste of twenty", and insert in lieu thereof "waste of ten".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 15, line 26, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 15, line 28, of the printed bill, strike out the period and insert in lieu thereof " , but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 15, line 36, of the printed bill, after the first comma in said line, insert "not poorly netted, and".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 15, line 42, of the printed bill, strike out "causes a waste of twenty per cent, by weight, of", and insert in lieu thereof "affects".

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 15, line 45, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 15, line 47, of the printed bill, strike out the period and insert in lieu thereof " , but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 16, line 43, of the printed bill, strike out " , freezing, or other means.", and insert in lieu thereof "or freezing."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 16 of the printed bill, strike out all of lines 44 to 47, inclusive, and insert in lieu thereof "by bursting shall not be considered serious unless the head is burst open or is materially misshapen from this cause. Damage caused by freezing shall not be considered serious unless it affects".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 16, line 50, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 16, line 52, of the printed bill, strike out the period and insert in lieu thereof " , but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 17 of the printed bill, between lines 8 and 9, insert the following: "Head lettuce packed in ice shall be in standard container number forty-five, section thirty-eight to the contrary notwithstanding; however, other size containers may be used if conspicuously marked on the outside of the end which bears any marks intended to describe the contents of such container, in letters and numbers not less than one-half of an inch in height with the inside width in inches directly preceded by the word "width" and the inside length in inches, directly preceded by the word "length"."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 17 of the printed bill, strike out all of lines 17, 18 and 19, and insert "herein shall not be considered serious unless it affects the edible portion of the melon."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 17, line 21, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 17, line 23, of the printed bill, strike out the period and insert in lieu thereof ", but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 17 of the printed bill, strike out all of lines 24 to 28, inclusive, and insert in lieu thereof " "Mature" in the case of casabas, honeydew melons, and watermelons shall mean that the appearance from the outside indicates maturity and that the arils which surround the seeds have been absorbed and also, in the case of watermelons, that the flesh of the watermelons has not less than seventy-five per cent red color."

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 17 of the printed bill, between lines 39 and 40, insert the following:

"SEC. 34½. Standard for fresh peas. Pods of peas shall not be poorly filled or over-mature; and shall be free from insect larvae and serious damage, as defined in this section, caused by insects, freezing, mildew or decay.

Damage to any one pod shall not be considered serious unless twenty per cent or more of the peas in the pod are affected.

In order to allow for variation incident to proper grading and handling, not more than ten per cent of the pods in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause.

Pods of peas shall not be considered "poorly filled" if one-half or more of the pod is filled with fairly well developed peas.

"Over-mature" shall mean that more than one-third of the surface of the pod is wrinkled, shriveled, or yellow."

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 18, line 7, of the printed bill, strike out "twenty", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 18, line 10, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 18, line 12, of the printed bill, strike out the period, and insert in lieu thereof ", but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 18, line 15, of the printed bill, strike out "penetated", and insert in lieu thereof "penetrated".

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX.

On page 18, line 25, of the printed bill, strike out "five", and insert in lieu thereof "ten".

Amendment adopted.

AMENDMENT NUMBER NINETY-SEVEN.

On page 18, line 27, of the printed bill, strike out the period and insert in lieu thereof ", but not to exceed one-half of this tolerance, or five per cent, shall be allowed for any one cause."

Amendment adopted.

AMENDMENT NUMBER NINETY-EIGHT.

On page 18, line 47, of the printed bill, directly after "words", insert "'standard or'".

Amendment adopted.

AMENDMENT NUMBER NINETY-NINE.

On page 19, line 2, of the printed bill, directly after "words", insert "'standard pack" or'".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED.

On page 21, line 12, of the printed bill, strike out "cleats, which shall be", and insert in lieu thereof "one or more cleats on each end, which shall total".

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED ONE.

On page 22, line 23, of the printed bill, strike out the period and insert in lieu thereof "and in the five dozen size a bridge of four heads shall be permitted."

Amendment adopted.

AMENDMENT NUMBER ONE HUNDRED TWO.

On page 23 of the printed bill, strike out all of lines 19, 20 and 21, and insert in lieu thereof the following:

"SEC. 42. The following acts are hereby repealed: chapter 865, statutes of 1927, entitled the "California fruit, nut and vegetable standardization act of 1927," approved June 2, 1927, as amended; chapter 224, statutes of 1901, entitled "An act to provide for the marking or branding of boxes or barrels containing citrus fruit for shipment, and fixing a penalty for the violation thereof, and for the appointment of an inspector under its provisions," approved March 23, 1901, as amended; chapter 251, statutes of 1903, entitled "An act to provide for the marking, branding, or labeling of boxes, barrels, or packages containing fruits, fresh or dried, and fixing a penalty for the violation thereof, and for the appointment of inspectors under its provisions," approved March 20, 1903, as amended; chapter 159, statutes of 1915, entitled "An act regulating the sale and shipment of citrus fruits damaged by frost, and prescribing penalties for the violation of the provisions thereof," approved May 3, 1915, as amended; chapter 659, statutes of 1915, entitled "An act to establish a standard for the packing in the State of California of the kinds of fresh fruits specified in this act, for sale or for transportation for shipment, and to prevent deception in the packing; also to establish a system of inspection for the same," approved June 8, 1915, as amended; chapter 595, statutes of 1917, entitled "An act to promote the development of the California fresh fruit industry in state and interstate markets, and to protect the state's reputation in these markets by establishing a standard for the packing of certain fresh fruits specified therein, and to prevent deception in the packing, prescribing penalties for violation of the provisions hereof, and repealing all acts inconsistent herewith," approved May 24, 1917, as amended."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 70—An act to amend sections 9 and 19 of chapter 186, Statutes of 1907, entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded

drugs, regulating the traffic in drugs and providing penalties for violation thereof." approved March 11, 1907, as amended, relating to the adulteration of drugs.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 558—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that in prosecutions for violations of said act under this section, the burden of proof shall rest upon the defendant to show compliance with said act.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 555—An act to amend subdivision (c) of section 27 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by extending the limitation of time for the filing of proceedings for compensation where a release or compromise agreement has not been approved by the commission.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILL.

Assembly Bill No. 567—An act to amend section 529 of the Code of Civil Procedure, relating to injunctions.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 359—An act to amend sections 1, 2, 3, 5 and 14 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," relating to narcotic drugs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 359 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Maloney, McCormack, Mixer, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—28.

NOES—Senators Cleveland, and Moran—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 772—An act to amend section 21, chapter 914, Statutes of 1921, entitled California Water Storage District Act, approved June 3, 1921, as amended, relating to the collection of unpaid assessments, the sale of property for delinquent assessments and the redemption of said property.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 772 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Ingels, Inman, Maloney, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 171—An act to add a new section to the Penal Code to be numbered 636b, relating to the protection of fish.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 171 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Deuel, Edwards, Evans, Harper, Hays, Ingels, Inman, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 290—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended.

Bill read third time.

MOTION TO RE-REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Deuel moved to refer Senate Bill No. 290 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 13, of the printed bill, after the period after the word "created" insert the following: "Out of the gross amount deposited in said "Motor vehicle fuel fund" the state treasurer shall transfer, upon order of the controller, the amounts heretofore or hereafter appropriated by the Legislature for the support of the fuel tax division of the state board of equalization into the "Fuel tax enforcement fund," which fund is hereby created; *provided, however*, that before ordering the transfer of the amounts so appropriated the controller shall offset against said amount the amount of the registration fees credited to said "Fuel tax enforcement fund" under section 2 of this act during the biennial period next preceding the period for which said appropriations are made. The amounts so transferred by the controller into said "Fuel tax enforcement fund," together with the amount of the registration fees credited to said fund under section 2 of this act, shall be used by the state board of equalization to pay the expenses of the enforcement of the duties of said board under this act, such moneys to be available to the state board of equalization on warrants drawn by the controller upon demands made by said board and allowed and audited as provided by the rules of the state board of control."

AMENDMENT NUMBER TWO.

On page 1, line 15, of the printed bill, strike out the words "after the refunds herein provided for have been paid are", and insert in lieu thereof the following: "after the payments into the "Fuel tax enforcement fund" shall have been made and the refunds herein provided for shall have been paid, is".

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the word "to", after the word "counties", and insert in lieu thereof the following: "shall".

AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, strike out the word "or", after the word "places", and insert in lieu thereof the following: "of".

AMENDMENT NUMBER FIVE.

On page 2, line 20, of the printed bill, insert after the word "culverts", and before the period in said line, the following: "in each such county".

AMENDMENT NUMBER SIX.

On page 2, line 50, of the printed bill, after the word "any", insert the following: "such".

AMENDMENT NUMBER SEVEN.

On page 3, line 3, of the printed bill, strike out "May and November" and insert in lieu thereof the following: "January, April, July and October".

AMENDMENT NUMBER EIGHT.

On page 3, of the printed bill, strike out line 4, and the word "fourth" in line 5, and insert in lieu thereof the following: "controller shall ascertain".

AMENDMENT NUMBER NINE.

On page 3, lines 6 and 7, of the printed bill, strike out the words "herein provided for for the preceding six months", and insert in lieu thereof the following: "for which provision is made in section 11 of this act during the preceding three months".

AMENDMENT NUMBER TEN.

On page 3, line 19, of the printed bill, strike out the word "account", and insert in lieu thereof the following: "amount".

AMENDMENT NUMBER ELEVEN.

On page 3, line 38, of the printed bill, after the word "reconstruction", in said line, insert a comma.

AMENDMENT NUMBER TWELVE.

On page 3, line 40, of the printed bill, strike out the words "state highway commission", and insert in lieu thereof the following: "the department of public works, division of highways".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 41, of the printed bill, strike out the word "by", and insert in lieu thereof the following: "as provided by the rules of".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 23, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 290, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Deuel adopted.

Bill ordered to print, and re-engrossment.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Rich moved to reconsider the vote whereby Assembly Bill No. 1893—An act making an appropriation to meet a deficiency in the appropriation for the support of the Department of Public Works for the eighty-first and eighty-second fiscal years, declaring the urgency thereof and providing that the act shall take effect immediately—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 1893 was passed, lost by the following vote:

AYES—Senators Cassidy, Christian, Cleveland, Clock, Deuel, Hays, Ingels, Inman, Moran, Rich, Rochester, Schottky, and Williams—13.

NOES—Senators Allen, Breed, Bush, Carter, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Young—25.

Assembly Bill No. 1893 ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and fifty-five minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read :

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 675—An act to amend the title and sections 1, 2, 4, 5, 6, 7, 9, 10, 11, 12, 13, 13a and 14 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," as amended to add thereto a new section to be numbered 14a, relating to failure to export motor vehicle fuel obtained for export, diversion thereof from interstate transit, improper return and sale of fuel previously exported, and prescribing penalties therefor, and providing that this act shall take effect immediately;

Also: Senate Bill No. 676—An act to amend sections 2 and 3 of chapter 795, Statutes of 1927, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,' approved May 30, 1923, as amended and approved May 23, 1925," as amended, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled and presented to the Governor on the twenty-fifth day of March, at one o'clock p.m.

DEUEL, Vice Chairman.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 48—An act to add a new section to the Political Code, to be numbered 3475, relating to the effect of sales of land for delinquent assessments, where the land is also situated in one or more districts or public corporations;

Also: Senate Bill No. 272—An act to add a new section to be numbered 18a, chapter 25, Statutes of 1911, extra session, entitled the "Reclamation Board Act," relating to claims of parties against the Sacramento and San Joaquin Drainage District for moneys advanced for work on the flood control project;

Also: Senate Bill No. 273—An act to add a new section to the Political Code of the State of California to be numbered 3476a, relating to the cancellation by the trustees of assessments or portions of assessments levied by reclamation districts on the lands within said districts;

Also: Senate Bill No. 274—An act to amend the Political Code by amending sections 3456, 3460, 3462, 3463, 3466, and 3480, relating to reclamation districts and adding three new sections thereto, to wit: A new section to be numbered 3466a, relating to sales and leasing of lands sold and held by reclamation districts or county treasurers as trustees; a new section to be numbered 3480b providing means whereby two or more issues of bonds of a reclamation district without standing warrants thereof may be refunded with a single issue of bonds based upon a single assessment; and a new section to be numbered 3457b, relating to payment of warrants of reclamation districts and the stopping of interest thereon;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—5; committee vote: Ayes—5.

MCCORMACK, Chairman.

Senate Bills Nos. 48, 272, 273 and 274 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 679—An act to provide for the sanitary inspection of slaughterhouses, the inspection of animals or meats intended for human consumption, to provide rules and regulations therefor, to provide penalties for the violation hereof and to repeal the California Meat Inspection Law, approved June 3, 1921—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—6; absent—5.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 679 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the word "similar", and insert in lieu thereof the words "equivalent in health value and protection to the public".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out the period following the word "agriculture", and insert in lieu thereof the words "for the bureau of animal industry."

AMENDMENT NUMBER THREE.

On page 2, line 3, of the printed bill, strike out the words "as used in this section".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, at the end of section 2, add the following: "“Farmer”, shall mean one who tills the soil, produces and markets farm products and/or live stock or is directly engaged in the dairy industry.”

AMENDMENT NUMBER FIVE.

On page 2, section 3, of the printed bill, commencing with the word "Each", in line 9, strike out all of the balance of the sentence ending with the word "California", in line 12, and insert in lieu thereof the following sentence: "The health authority under whose jurisdiction each municipal inspection department operates shall be notified within seven (7) days of the date on which this act becomes effective of the requirements which each establishment operating under his jurisdiction and the inspection system therein must meet in order to receive approval by the director of agriculture."

AMENDMENT NUMBER SIX.

On page 2, line 12, of the printed bill, strike out the word "plants", and insert in lieu thereof the word "establishments".

AMENDMENT NUMBER SEVEN.

On page 2, line 14, of the printed bill, strike out the words "It is expressly implied herein that the", and insert in lieu thereof the word "The".

AMENDMENT NUMBER EIGHT.

On page 2, line 18, of the printed bill, strike out "It is understood that".

AMENDMENT NUMBER NINE.

On page 2, line 28, of the printed bill, strike out the word "plants", and insert in lieu thereof the word "establishments".

AMENDMENT NUMBER TEN.

On page 2, line 33, of the printed bill, following the word "than", insert "the general average".

AMENDMENT NUMBER ELEVEN.

On page 2, line 33, of the printed bill, strike out the word "plants", and insert in lieu thereof the word "establishments".

AMENDMENT NUMBER TWELVE.

On page 2, line 39, of the printed bill, preceding the word "health", insert the word "public".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 52, of the printed bill, strike out the word "is", and insert in lieu thereof the word "are".

AMENDMENT NUMBER FOURTEEN.

On page 3 of the printed bill, following the period after the words "municipal inspection", in line 2, add the following paragraphs:

"The foregoing provisions of this section shall be effective on and after January 1, 1932, in all counties having a population of thirty thousand or over. In counties of less than thirty thousand population, the effective date and the period for which this section shall be effective shall be determined by the state board of agriculture when, on the basis of its findings, the density of population justifies such action.

An absolute exemption from the provisions of this section shall be extended to a farmer in the matter of the slaughter of calves which are the actual increase of his own herd; *provided*, that such calves are offered for inspection in accordance with regulations issued by the director of agriculture. Further exemption from the operation of this section is granted to the farmer who occasionally kills an animal from his own flock or herd, for his own use, and disposes of a portion of the carcass of same amongst a few of his neighbors without advertisement of any kind and without offering for sale at any public place."

AMENDMENT NUMBER FIFTEEN.

On page 3, lines 38 and 39, of the printed bill, strike out the words "if he deems the same necessary", and insert in lieu thereof "in accordance with the provisions of this act".

AMENDMENT NUMBER SIXTEEN.

On page 3, line 46, of the printed bill, strike out the comma following the word "inspection", and insert in lieu thereof "and otherwise".

AMENDMENT NUMBER SEVENTEEN.

On page 4 of the printed bill, strike out the first sentence in section 11, commencing in line 5 and ending in line 11, and in lieu of said sentence, insert the following:

"Any person, firm or corporation desiring to engage in the slaughtering of cattle, sheep, swine or other animals for human consumption in any county of the State of California, in which section 6 of this act shall be effective shall make application in writing to the director of agriculture or the local health authority for the inauguration of an inspection service in the establishment where said animals are to be slaughtered."

AMENDMENT NUMBER EIGHTEEN.

On page 4, lines 12 and 13, of the printed bill, strike out the words "department of agriculture, division of animal industry, of California", and insert in lieu thereof "director of agriculture or local health authority".

AMENDMENT NUMBER NINETEEN.

On page 4, line 14, of the printed bill, strike out the period following the word "agriculture", and insert in lieu thereof "or municipal inspection department."

AMENDMENT NUMBER TWENTY.

On page 4, line 18, of the printed bill, following the word "agriculture", add "or local health authority".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 21, of the printed bill, strike out the word "he", and insert in lieu thereof "said director of agriculture or local health authority".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 29, of the printed bill, strike out the period preceding the word "all", and insert in lieu thereof "or the municipal inspection department having jurisdiction."

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 48, of the printed bill, before the word "state", insert "United States department of agriculture".

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 4, of the printed bill, preceding the word "department", insert "United States department of agriculture or state".

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 5, of the printed bill, strike out the words "any municipality", and insert in lieu thereof "of any municipal inspection department".

AMENDMENT NUMBER TWENTY-SIX.

On page 5 of the printed bill, renumber sections 16, 17 and 18 so that they will be designated as sections 17, 18 and 19 respectively and add a new section to be known as section 16 which shall read as follows:

"Sec. 16. Every establishment in California where cattle, sheep, swine or other animals are slaughtered or where meat or meat food products are processed for human consumption shall be maintained and operated in a clean and sanitary manner in accordance with the provisions of this act and the regulations of the director of agriculture, and in the event that an establishment fails so to do, said director is authorized and empowered to suspend inspection in any establishment having state inspection or withdraw approval in any establishment having municipal inspection."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5 of the printed bill, in the last line thereof, strike out the comma following the figures "1921", and the words "is hereby repealed", and insert in lieu thereof "and all acts and parts of acts in conflict with the provisions of this act are hereby repealed."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 2, line 30, of the printed bill, preceding the word "requirements", insert the word "original".

AMENDMENT NUMBER TWENTY-NINE.

On page 2, line 34, of the printed bill, preceding the word "requirements", insert the word "original".

AMENDMENT NUMBER THIRTY.

On page 2, line 39, of the printed bill, strike out the comma following the word "state", and in lieu thereof insert the word: "and".

AMENDMENT NUMBER THIRTY-ONE.

On page 2, lines 40, 41, and 42, of the printed bill, strike out the comma following the word "authority", and the balance of the sentence, and insert in lieu thereof a period.

AMENDMENT NUMBER THIRTY-TWO.

On page 2, line 42, of the printed bill, strike out the words "Any three", and insert in lieu thereof the words: "The vote of two".

AMENDMENT NUMBER THIRTY-THREE.

On page 2, line 43, of the printed bill, strike out the word "empowered", and insert in lieu thereof the word "necessary".

AMENDMENT NUMBER THIRTY-FOUR.

On page 2, line 44, of the printed bill, preceding the word "requirement", insert the word "original".

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 183—An act to amend the Civil Code by adding a new section to be numbered 356a, relating to the employment of attorneys by corporations and the practice of law by corporations;

Also: Senate Bill No. 552—An act to amend section 11 of chapter 170, Laws of 1913, as amended by chapter 762, Laws of 1927, by providing that fees collected by the Industrial Accident Commission may be expended by said commission;

Also: Senate Bill No. 553—An act to amend subdivision (c) of section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, with respect to limitations of time for instituting proceedings for the collection from an employer of additional compensation;

Also: Senate Bill No. 554—An act to amend subdivision (d) of section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by permitting decision on rehearing after 245 weeks from date of the injury; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 183, 552, 553 and 554 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 184—An act to amend sections 1279 and 1298 of the Penal Code, relating to bail;

Also: Senate Bill No. 639—An act to amend section 464 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosives;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

ROCHESTER, Chairman.

Senate Bills Nos. 184 and 639 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or irrigation ditches;

Also: Senate Bill No. 644—An act to amend section 182 of the Penal Code, relating to criminal conspiracy;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9.

ROCHESTER, Chairman.

Senate Bills Nos. 323 and 644 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Senate Bill No. 115—An act to amend sections 37, 128, 190, 219 and 246 of the Penal Code, relating to the punishment for crime and doing away with the death penalty except in certain cases—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—5; absent—4.

ROCHESTER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revision of Criminal Law and Procedure, the following amendments to Senate Bill No. 115 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "and 246", and insert in lieu thereof the following: "246, 1213, 1284 and 1285, and to repeal sections 1217 to 1230, inclusive,".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "except in certain cases".

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, after "aid", strike out "or", and insert in lieu thereof the following: "and".

AMENDMENT NUMBER FOUR.

On page 1, line 6, of the printed bill, strike out "for", and insert in lieu thereof the following: "of".

AMENDMENT NUMBER FIVE.

On page 1, line 7, of the printed bill, strike out "from which there is no", and insert in lieu thereof the following: "in the state prison without possibility of".

AMENDMENT NUMBER SIX.

On page 1, line 11, of the printed bill, after "perjury", insert a comma.

AMENDMENT NUMBER SEVEN.

On page 1, line 12, of the printed bill, after "person", insert a comma.

AMENDMENT NUMBER EIGHT.

On page 1, line 12, of the printed bill, strike out "imprisonment for life", and all of line 13 and insert in lieu thereof the following: "life imprisonment in the state prison without possibility of parole."

AMENDMENT NUMBER NINE.

On page 1, line 16, of the printed bill, after "first degree", strike out "of", all of lines 17 and 18, and insert in lieu thereof the following: "shall".

AMENDMENT NUMBER TEN.

On page 1, line 19, of the printed bill, strike out "death or".

AMENDMENT NUMBER ELEVEN.

On page 1, line 19, of the printed bill, after "for life", insert the following: ", or confinement in the state prison for life without possibility of parole".

AMENDMENT NUMBER TWELVE.

On page 1, line 20, of the printed bill, after "the same," strike out the rest of the line, lines 21 to 23, inclusive, and in line 24, strike out "trying the same".

AMENDMENT NUMBER THIRTEEN.

On page 1, line 24, of the printed bill, insert a comma after "or", and also insert a comma after "guilty".

AMENDMENT NUMBER FOURTEEN.

On page 1 of the printed bill, strike out line 27, and insert in lieu thereof the following: "son for not less than ten years."

AMENDMENT NUMBER FIFTEEN.

On page 2 of the printed bill, strike out lines 1 to 8, inclusive.

AMENDMENT NUMBER SIXTEEN.

On page 2, line 14, of the printed bill, strike out the comma after "engine".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 14, of the printed bill, strike out "same, or", and insert in lieu thereof the following: "the same, or who".

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 17, of the printed bill, strike out the comma after "car".

AMENDMENT NUMBER NINETEEN.

On page 2, line 18, of the printed bill, strike out the comma after "engine".

AMENDMENT NUMBER TWENTY.

On page 2, line 18, of the printed bill, after "blows up", insert the following: "or details".

AMENDMENT NUMBER TWENTY-ONE.

On page 2, line 19, of the printed bill, strike out "afire", and insert in lieu thereof the following: "fire to".

AMENDMENT NUMBER TWENTY-TWO.

On page 2, line 20, of the printed bill, strike out the comma after "pass".

AMENDMENT NUMBER TWENTY-THREE.

On page 2, line 21, of the printed bill, after "engine", insert a comma.

AMENDMENT NUMBER TWENTY-FOUR.

On page 2, line 22, of the printed bill, after "with", insert the following: "life".

AMENDMENT NUMBER TWENTY-FIVE.

On page 2, line 23, of the printed bill, after "prison", strike out the rest of the line, and insert in lieu thereof the following: "without possibility of parole, or life imprisonment in the state prison".

AMENDMENT NUMBER TWENTY-SIX.

On page 2, line 31, of the printed bill, after "life imprisonment", insert the following: "in the state prison".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 2, line 32, of the printed bill, strike out "privilege", and insert in lieu thereof the following: "possibility".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 2 of the printed bill, after line 32, insert the following:

"Sec. 6. Section 1213 of the Penal Code is hereby amended to read as follows: 1213. When a judgment has been pronounced, a certified copy of the entry thereof upon the minutes must be forthwith furnished to the officer whose duty it is to execute the judgment, and no other warrant or authority is necessary to justify or require its execution.

Sec. 7. Section 1243 of the Penal Code is hereby amended to read as follows: 1243. An appeal to the supreme court or to a district court of appeal from a judgment of conviction does not stay the execution of the judgment unless the trial

court shall so order. The granting or refusal of such order shall rest in the sole discretion of the trial court. If such order is made the clerk of the court shall issue a certificate stating that such order has been made. In cases where the defendant has been sentenced to life imprisonment or life imprisonment without possibility of parole he shall be confined in the state prison without possibility of parole pending the decision upon his appeal.

SEC. 8. Section 1284 of the Penal Code is hereby amended to read as follows: 1284. When the offense charged is not punishable with life imprisonment without possibility of parole, the officer serving the bench warrant must, if required, take the defendant before a magistrate in the county in which it is issued, or in which he is arrested, for the purpose of giving bail.

SEC. 9. Section 1285 of the Penal Code is hereby amended to read as follows: 1285. If the offense charged is punishable with life imprisonment without possibility of parole, the officer arresting the defendant must deliver him into custody, according to the command of the bench warrant.

SEC. 10. Sections 1217-1230, inclusive, of the Penal Code are hereby repealed."

Bill ordered to print, and re-referred to Committee on Revision of Criminal Law and Procedure.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 191—An act creating the California Districts Securities Commission, and defining its duties and powers, and relating to bonds of irrigation districts, reclamation districts and water conservation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized, and providing for the administration of insolvent districts, making an appropriation, and repealing an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, and as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to the Committee on Irrigation.

Committee membership—11; committee vote: Ayes—6; absent—5.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 191 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, at the end of the line, insert the words "providing for its appointment."

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, before the word "relating", strike out the word "and".

AMENDMENT NUMBER THREE.

In lines 3 and 4 of the title, strike out the words "reclamation districts and water conservation districts."

AMENDMENT NUMBER FOUR.

In line 12 of the title of the printed bill, after the comma after the word "authorized", insert the words "providing that certain districts may be declared insolvent."

AMENDMENT NUMBER FIVE.

In line 13 of the title of the printed bill, strike out the comma following the word "appropriation", and insert the words "to carry out the purposes of the act."

AMENDMENT NUMBER SIX.

On page 1, line 2, of the printed bill, after the word "as", insert the words "and designated".

AMENDMENT NUMBER SEVEN.

On page 1, line 3, of the printed bill, strike out the word "seven", and insert in lieu thereof the word "five".

AMENDMENT NUMBER EIGHT.

On page 1, lines 4 and 5, of the printed bill, strike out the words "the superintendent of banks and four", and insert in lieu thereof the words "and three".

AMENDMENT NUMBER NINE.

On page 1, line 7, of the printed bill, strike out the words "one who at the".

AMENDMENT NUMBER TEN.

On page 2 of the printed bill, strike out all of lines 1 to 5, both inclusive, and insert in lieu thereof the words "and two, each of whom at the time of his appointment shall be one who has had at least five years actual experience in the affairs of an irrigation district in this state as an officer or employee."

AMENDMENT NUMBER ELEVEN.

On page 2, line 9, of the printed bill, strike out the word "four", and insert in lieu thereof the word "three".

AMENDMENT NUMBER TWELVE.

On page 2, line 9, of the printed bill, after the word "general", strike out the comma, and insert the word "and".

AMENDMENT NUMBER THIRTEEN.

On page 2, lines 9 and 10 of the printed bill, strike out the words "and the superintendent of banks".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 12, of the printed bill, strike out the word "board", and insert in lieu thereof the word "commission".

AMENDMENT NUMBER FIFTEEN.

On page 2 of the printed bill, strike out all of lines 16 and 17 and insert in lieu thereof the words "tion districts organized under the laws of the state."

AMENDMENT NUMBER SIXTEEN.

On page 2, line 24 of the printed bill, strike out the word "seven", and insert in lieu thereof the word "nine".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 27, of the printed bill, strike out the word "the".

AMENDMENT NUMBER EIGHTEEN.

On page 3 lines 29 and 30, of the printed bill, strike out the words "the laws under which the district was organized", and insert in lieu thereof the word "law."

AMENDMENT NUMBER NINETEEN.

On page 4 of the printed bill strike out all of lines 49 to 52, inclusive, and insert in lieu thereof "books and records of any district. It shall also prescribe a form of annual reports of districts, and a copy of each report shall be filed with the secretary of the district and a copy in the office of the commission."

AMENDMENT NUMBER TWENTY.

On page 5 of the printed bill, strike out all of lines 1 to 4, both inclusive.

AMENDMENT NUMBER TWENTY-ONE.

On page 5 of the printed bill, strike out all of lines 8 to 12, both inclusive, and insert in lieu thereof "may request in writing, the commission to take the necessary steps to cause the district declared insolvent. Upon receipt of such written request the commission shall make such an investigation of the affairs of the district as it may deem proper, and after such investigation, if in the judgment of the commission it would be for the best interests of the district and of the holders of bonds that the said district be declared insolvent, the commission shall file a petition in the superior court in the county in which the office of the district is located, praying said court to declare said district insolvent. The court shall set a time for hearing said petition, and written notice of such hearing shall be served upon the president of the board of directors of the district at least ten days before the time set for said hearing. At said hearing the court shall hear said petition and all competent evidence offered in support thereof, and shall hear any and all objections to said petition, and all competent evidence offered in support of said objections. The court shall then make an order granting or denying said petition. If said petition be granted, said order shall set forth the amount of bond or interest coupons, or both, which have been presented for payment and which have not been paid, together with the amount then due, and shall declare said district to be insolvent, and the same shall thereupon be under the control and direction of the commission, to the extent of, and in accordance with the provisions of this act. The commission shall".

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 43, of the printed bill, strike out the word "right", and insert in lieu thereof the word "power".

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 45, of the printed bill, after the word "such", insert the words "term or".

AMENDMENT NUMBER TWENTY-FOUR.

On page 5, line 47, of the printed bill, strike out the word "to", and insert in lieu thereof the words "the district may, with the approval of the commission,".

AMENDMENT NUMBER TWENTY-FIVE.

On page 5, line 50, of the printed bill, strike out the word "the", and insert in lieu thereof the word "outstanding".

AMENDMENT NUMBER TWENTY-SIX.

On page 6, line 11, of the printed bill, following the comma, insert the words "with the consent of the commission, and".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 6, line 23, of the printed bill, after the word "bond", insert the words "interest or bond principal".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 6 of the printed bill, after line 44, insert the following:

"SEC. 14. The California district securities commission herein provided for shall succeed to and is hereby vested with all the duties, powers, purposes, responsibilities and jurisdiction of the California bond certification commission, being the commission authorized by law to approve bonds of irrigation districts for certification, and also designated as the state irrigation district bond commission, and whenever by the provisions of any statute or law now in force or that may hereafter be enacted, a duty or jurisdiction is imposed or authority conferred upon said California bond certification commission, such duty, jurisdiction and authority are hereby imposed upon and transferred to the said California districts securities commission with the same force and effect as though the title of said California districts securities commission had been specifically set forth and named therein in lieu of the name of said California bond certification commission."

AMENDMENT NUMBER TWENTY-NINE.

On page 6, line 45, of the printed bill, strike out the figures "14", and insert in lieu thereof the figures "15".

AMENDMENT NUMBER THIRTY.

On page 6, line 49, of the printed bill, strike out the figures "15", and insert in lieu thereof the figures "16".

AMENDMENT NUMBER THIRTY-ONE.

On page 7, line 1, of the printed bill, strike out the figures "16", and insert in lieu thereof the figures "17".

AMENDMENT NUMBER THIRTY-TWO.

On page 7 of the printed bill, after line 13, insert the following:

"SEC. 18. If any section, subsection, sentence, clause, or phrase of this act is for any reason held to be unconstitutional or unenforceable, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it would have passed this act and each section, subsection, sentence, clause and phrase hereof irrespective of the fact that any one or more of the sections, subsections, sentences, clauses or phrases be declared unconstitutional or unenforceable."

Bill ordered to print, and re-referred to Committee on Irrigation.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Assembly Bill No. 170—An act to amend section 365d of the Political Code, relating to highways—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

EDWARDS, Chairman.

Assembly Bill No. 170 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 530—An act authorizing a contract between the State of California and the State of Arizona for the joint purchase of that certain highway bridge across the Colorado River, at or near Ehrenburg, Arizona—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—11; absent—3.

EDWARDS, Chairman.

Senate Bill No. 530 ordered on file for second reading.

ON DRAINAGE, SWAMP AND OVERFLOWED LANDS.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 367—An act to amend section 37a of chapter 25, statutes 1911, entitled the "Reclamation Board Act," approved December 24, 1911, as amended, relating to the application of moneys released, reimbursed, or appropriated under and pursuant to chapter 176, California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929;

Also: Senate Bill No. 371—An act to amend sections 2 and 13 of chapter 774, Statutes of 1927, entitled "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, relating to the maintenance and operation of certain flood control project works and to the payment of assessments.

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—5; committee vote: Ayes—5.

MCCORMACK, Chairman.

Senate Bills Nos. 367 and 371 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 270—An act to amend section 6 of chapter 808, Statutes of 1927, entitled "American River Flood Control District Act," relating to candidates for the office of trustee—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to Committee on Finance.

Committee membership—5; committee vote: Ayes—5.

MCCORMACK, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Drainage, Swamp and Overflowed Lands, the following amendments to Senate Bill No. 270 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the following: "amend section 6 of", and insert in lieu thereof the following: "add a new section to".

AMENDMENT NUMBER TWO.

On lines 2 and 3 of the title of the printed bill, strike out the following: "relating to candidates for the office of trustee", and insert in lieu thereof the following: "as amended, to be numbered 18b making an appropriation in the sum of twenty thousand dollars to defray the expenses of the district and providing that said appropriation shall be returned to the state, and relating to the manner of repayment and containing a provision declaring this act to be an emergency measure stating the facts constituting such emergency, and providing this act shall take effect immediately upon its passage".

AMENDMENT NUMBER THREE.

Strike out all of lines 1 to 14, inclusive, of the printed bill, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the act entitled "American river flood control act" as amended, to read as follows:

Sec. 18b. In addition to the indebtedness hereinbefore authorized to be incurred by the district, the district shall have the right, subject to the approval of the state department of finance to incur indebtedness for organization purposes, preliminary

engineering expenses and general incidental expenses as in this act provided in an additional amount not to exceed the sum of twenty thousand dollars. The sum of twenty thousand dollars, in addition to the sums heretofore appropriated, is hereby appropriated out of the funds of the state treasury, not otherwise appropriated for the use of the board of trustees of said district in carrying out the provisions of this act and in defraying the expenses hereinabove in this section authorized. And the state controller is hereby directed to draw warrants upon the state treasurer payable out of said appropriation whenever drafts of said board of trustees duly approved by the state department of finance are presented to him, and the state treasurer is hereby directed to pay said controller's warrants.

All of the moneys hereinbefore in this section appropriated, to wit, the sum of twenty thousand dollars together with the moneys heretofore appropriated in the year 1929, as provided by section 18a of this act, together with one-half of the moneys heretofore appropriated in the year 1927, as provided by section 18 of this act, shall be repaid to the state by the said district by means of a special tax levy on all property in said district levied and assessed for the fiscal year 1931-32. If, prior to the first day of July, 1931, a bond election has been held in said district, and bonds authorized, the said assessment shall be included in the general assessment of said district and collected with the other taxes levied and assessed in said district for the said fiscal year, and the amount due the State of California hereunder shall be paid by the trustees of the district to the treasurer of the county of Sacramento for the use of the State of California. If, prior to the said first day of July, 1931, bonds have not been authorized by the electors of said district, then the amount so due the state shall be added to the assessment roll of the county of Sacramento in the form of a special tax on all the property in said district, upon a certification from the state department of finance to the auditor of the county of Sacramento as to the amount so due the state by reason of any advances made by the state hereunder, which tax shall be collected by the tax collector of the county of Sacramento and paid over to the state by said county.

SEC. 2. This act is hereby declared to be an urgency measure, deemed necessary for the immediate preservation of the public peace and safety within the meaning of section 1, article four of the constitution of the State of California and as such it shall take effect immediately. The following is a statement of facts constituting such necessity: the immediate prosecution of the work contemplated by this act is necessary for the early correction of the flood conditions which are now a yearly occurrence on the Sacramento and American rivers and which constitute a grave menace to the lands within said American river flood control district, including the cities of Sacramento and North Sacramento and which should be obviated as speedily as possible in order that the lives and property of inhabitants thereof may be secure.

To secure these ends it is necessary that this act take effect immediately upon its passage.

This act shall take effect immediately."

Bill ordered to print, and re-referred to Committee on Finance.

Also:

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Drainage, Swamp and Overflowed Lands, to which was referred Senate Bill No. 622—An act to amend an act entitled "An act to create a flood control district to be called 'Los Angeles County Flood Control District'; to provide for the control and conservation of flood and storm waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof," by increasing the purposes for which said Los Angeles County Flood Control District was created—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—5; committee vote: Ayes—5.

MCCORMACK, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Drainage, Swamp and Overflowed Lands, the following amendments to Senate Bill No. 622 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "amend", insert the following: "the title and sections two and four of".

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, strike out "indebtednes", and insert in lieu thereof the following: "indebtedness".

AMENDMENT NUMBER THREE.

In line 12 of the title of the printed bill, strike out "by increasing", and all of lines 13 and 14 of the title of the printed bill, and insert in lieu thereof the following: "approved June 12, 1915, as amended, relating to the objects and purposes of said act and the powers of the board of supervisors thereunder."

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, after "Section 1.", insert the following: "The title of the act cited in the title hereof is hereby amended to read as follows: An act to create a flood control district to be called "Los Angeles county flood control district"; to provide for the control and conservation of flood, storm and other waste waters, and for the protection of harbors, waterways, public highways and property in said district from damage from such waters, and for the construction of works and the acquisition of property therefor; to authorize the incurring of indebtedness, and the voting, issuing and selling of bonds, and the levying and collecting of taxes by said district; to provide for the government and control of said district, and to define the powers and duties of the officers thereof.

SEC. 2. Section 2 of said act is hereby amended to read as follows:

Sec. 2. The objects and purposes of this act are to provide for the control and conservation of the flood, storm and other waste waters of said district, including sewage effluent resulting from the rectification of sewage by any sanitation district, municipality or other corporate body, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within said district, or to save or conserve in any manner, all or any of such waters, and to protect from damage from such flood or storm waters, the harbors, waterways, public highways and property in said district.

Said Los Angeles county flood control district is hereby declared to be a body corporate and politic, and as such shall have power:

1. To have perpetual succession.
2. To sue and be sued in the name of said district in all actions and proceedings in all courts and tribunals of competent jurisdiction.
3. To adopt a seal and alter it at pleasure.
4. To take by grant, purchase, gift, devise or lease, hold, use, enjoy, and to lease or dispose of real or personal property of every kind within or without the district necessary to the full exercise of its powers.
5. To acquire or contract to acquire lands, rights of way, easements, privileges and property of every kind, and construct, maintain and operate any and all works or improvements within or without the district necessary or proper to carry out any of the objects or purposes of this act, and to complete, extend, add to, repair or otherwise improve any works or improvements acquired by it as herein authorized.
6. To have and exercise the right of eminent domain, and in the manner provided by law for the condemnation of private property for public use, to take any property necessary to carry out any of the objects or purposes of this act, whether such property be already devoted to the same use by any district or other public corporation or agency or otherwise, and may condemn any existing works or improvements in said district now used to control flood or storm waters, or to conserve such flood or storm waters or to protect any property in said district from damage from such flood or storm waters.
7. To incur indebtedness, and to issue bonds in the manner herein provided.
8. To cause taxes to be levied and collected for the purpose of paying any obligation of the district in the manner hereinafter provided.
9. To make contracts, and to employ labor, and to do all acts necessary for the full exercise of all powers vested in said district, or any of the officers thereof, by this act.
10. To grant or otherwise convey to counties, cities and counties, cities or towns easements for street and highway purposes over, along, upon, in, through, across or under any real property owned by said Los Angeles county flood control district.
11. To remove, carry away and dispose of any rubbish, trash, debris or other inconvenient matter that may be dislodged, transported, conveyed or carried by means of, through, in, or along the works and structures operated or maintained hereunder and deposited upon the property of said district or elsewhere.
12. To pay premiums on bonds of contractors required under any contract wherein the amount payable to the contractor exceeds five million dollars; *provided*, that the specifications in such cases shall specifically so provide and state that the bidder shall not include in his bids the cost of furnishing the required bonds.
13. To lease, sell or dispose of any property (or any interest therein) acquired in fee otherwise than by condemnation, whenever in the judgment of said board of supervisors said property, or any interest therein or part thereof, is no longer required for the purposes of said district, or may be leased for any purpose without interfering with the use of the same for the purposes of said district, and to pay any compensation received therefor into the general fund of said district and use the same for the purposes of this act; *provided, however*, that nothing herein shall

authorize the board of supervisors or other governing body of the district or any officer thereof to sell, lease or otherwise dispose of any water, water right, reservoir space or storage capacity or any interest or space therein, except as hereinafter provided by section 17 of this act.

SEC. 3. Section 4 of said act is hereby amended to read as follows:

Sec. 4. Said board of supervisors shall have jurisdiction and power, and it shall be their duty to employ by resolution a competent engineer or engineers to investigate carefully the best plan to control the flood and storm and other waste waters including sewage effluent, of said district, and to conserve such waters for beneficial and useful purposes by spreading, storing, retaining or causing to percolate into the soil within said district, and to save or conserve in any manner, any or all of such waters, and to protect the harbors, waterways, public highways and property in said district from damage from such waters; and to obtain such other information in regard thereto as may be deemed necessary or useful for carrying out the purposes of this act, and such resolution shall direct such engineer or engineers to make and file a report with said board of supervisors which shall show:

1. A general description of the work to be done.
2. General plans, profiles, cross-sections and general specifications of the work to be done.
3. A general description of the lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work.
4. A map which shall show the location of the proposed work and improvements, and lands, rights of way, easements and property to be taken, acquired or injured in carrying out said work, and any other information in regard to same that may be deemed necessary or useful.
5. An estimate of the cost of such work, including an estimate of the cost of lands, rights of way, easements and property proposed to be taken, acquired or injured in carrying out said work, and also of all incidental expenses likely to be incurred in connection therewith, including legal, clerical, engineering superintendence, inspection, printing and advertising, and stating the total amount of bonds necessary to be issued to pay for the same.

Such engineer or engineers employed by said resolution shall have power and authority, subject to the control and direction of said board of supervisors, to employ such engineers, surveyors and others as may be required for making all surveys or doing any other work necessary for the making of such report.

The said board of supervisors may at any time remove any or all of the engineers or employees appointed or employed under this act, and may fill any vacancies occurring among them for any cause."

Bill ordered to print, and re-referred to Committee on Drainage, Swamp and Overflowed Lands.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 557—An act to amend subdivision (a) of section 64 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that each party to a proceeding shall have the separate right to petition for a rehearing—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 557 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 192—An act creating the State Irrigation and Reclamation Bond Fund, providing how the money in such fund may be used, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

MIXTER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Irrigation, the following amendments to Senate Bill No. 192 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the words "and reclamation".

AMENDMENT NUMBER TWO.

On page 1, line 2, of the printed bill, strike out the words "and reclamation".

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the words "or reclamation".

AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, strike out the comma.

AMENDMENT NUMBER FIVE.

On page 1, line 14, of the printed bill, strike out the word "forty", and insert in lieu thereof the word "fifty".

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out all of line 15, and insert in lieu thereof the words "the district may vote a".

AMENDMENT NUMBER SEVEN.

On page 1, line 16, of the printed bill, after the word "for", insert the words "all or".

AMENDMENT NUMBER EIGHT.

On page 1, line 20, of the printed bill, strike out the word "shall", and insert in lieu thereof the word "may".

AMENDMENT NUMBER NINE.

On page 1, line 22, of the printed bill, strike out the words "bond issue is", and insert in lieu thereof the words "bonds are".

AMENDMENT NUMBER TEN.

On page 1, line 23, of the printed bill, after the word "use", insert the word "any".

AMENDMENT NUMBER ELEVEN.

On page 1, lines 23 and 24, of the printed bill, strike out the words "and reclamation".

AMENDMENT NUMBER TWELVE.

On page 2 of the printed bill, strike out all of lines 3 to 11, both inclusive, and insert in lieu thereof the following: "purchase price. Of the amount received from the sale of such bonds, the total amount of the cost of the same shall revert to the state irrigation bond fund, and the amount received over and above the cost to the state shall be deposited in a special fund to the credit of the irrigation district to be used for the redemption of said bonds at their maturity. Until such bonds are sold, they shall be held in such fund, and of all interest received thereon, that portion at the rate of two and one-half per cent per annum shall be paid into the general fund of the state, that portion at the rate of one and one-half per cent shall be deposited in a special fund to the credit of the irrigation district to be used for the redemption of said bonds at their maturity, and the balance shall be retained in the state irrigation bond fund."

AMENDMENT NUMBER THIRTEEN.

On page 2 of the printed bill, strike out all of line 15, and insert in lieu thereof the words "pay, the district may vote".

AMENDMENT NUMBER FOURTEEN.

On page 2, line 29, of the printed bill, after the word "use", insert the word "any".

AMENDMENT NUMBER FIFTEEN.

On page 2, line 30, of the printed bill, strike out the words "and reclamation".

AMENDMENT NUMBER SIXTEEN.

On page 2 of the printed bill, strike out all of lines 37 to 45, both inclusive, and insert in lieu thereof the following: "the purchase price. Of the amount received from the sale of such bonds, the total amount of the cost of the same shall revert to the state irrigation bond fund, and the amount received over and above the cost to the state shall be deposited in a special fund to the credit of the irrigation districts to be used for the redemption of said bonds at their maturity. Until such bonds are sold, they shall be held in such fund, and of all interest received thereon, that portion at the rate of two and one-half per cent per annum shall be paid into the general fund of the state, that portion at the rate of one and one-half per cent shall be deposited in a special fund to the credit of the irrigation district to be used for the redemption of said bonds at their maturity, and the balance shall be retained in the state irrigation bond fund."

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 48, of the printed bill, strike out the words "are to be", and insert in lieu thereof the words "shall be".

AMENDMENT NUMBER EIGHTEEN.

On page 2, line 49, of the printed bill, after the word "district", insert a period, and strike out all the balance of line 49, and strike out all of lines 50 and 51, and strike out all of lines 1 and 2 on page 3, and insert in lieu thereof the following: "Whenever any such refunding bonds are sold all matured interest coupons shall be detached and canceled. Any unsold refunding bonds may be canceled by the district at any time with the consent of the commission."

AMENDMENT NUMBER NINETEEN.

On page 3, line 5, of the printed bill, strike out the word "five", and insert in lieu thereof the word "two".

AMENDMENT NUMBER TWENTY.

On page 3, line 6, of the printed bill, strike out the words "and reclamation".

Bill ordered to print, and re-referred to Committee on Irrigation.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 312—An act to amend the California Irrigation District Act by amending sections 35, 37, 38, 41 and 78 thereof, relating to assessments and exclusion of land, and by adding two new sections thereto to be numbered 35b and 35c, relating to assessments;

Also: Senate Bill No. 382—An act to amend the California District Act by amending sections 31 and 32a thereof, and adding four new sections thereto, to be designated respectively 32b, 32c, 32d, and 32e, relating to the issuance of bonds of irrigation districts, including funding or refunding bonds, prescribing the form and manner of execution of such bonds and the procedure for the issuance thereof, providing for the adoption of plans for funding or refunding bonds of such districts and for the incurring of indebtedness for the purpose of carrying out such plans, prescribing the terms and conditions upon which such bonds may be issued, authorizing limitations and conditions upon the payment of the principal and/or interest, or any part thereof, of any such funding or refunding bonds, providing for the designation of paying agents of such districts for the purpose of receiving funds thereof and applying the same to the payment of the principal and/or interest of any such bonds, and declaring this act to be an urgency measure; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

MIXTER, Chairman.

Senate Bills Nos. 312 and 382 ordered on file for second reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following amendment was offered:

By Senators McKinley, Jones, Deuel and Breed: Senate Constitutional Amendment No. 23—A resolution to propose to the people of the State of California an amendment to the constitution of said State by adding a new section to be numbered 14a to article XIII thereof, relating to revenue and taxation.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 289—An act to amend chapter 207, Statutes of 1921, entitled "An act to authorize counties to cooperate with the Secretary of Agriculture of the United States for the survey, construction and maintenance of roads and trails, and to pay part of the expenses thereof, pursuant to the provisions of section 8 of the act of Congress approved July 11, 1916, entitled 'An act to provide that the United States shall aid the states in the construction of rural post roads and for other purposes,'" approved May 23, 1921, relating to roads and trails.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 289 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Tubbs, Wagy, Williams, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 66—An act to amend section 4041.10 of the Political Code, relating to the changing of boundaries of election precincts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 66 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 25—An act to amend sections 851, 852, 852a, 853, 854, 855, 857, 858, 859, 860, and 861 of chapter 49, Statutes of 1883, entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 25 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Hays, Maloney, Mixer, Moran, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 545—An act to amend section 46 of the Workmen's Compensation Insurance and Safety Act, approved May 26, 1913, relating to insurance carriage of the State and certain political subdivisions, public corporations, and quasi public corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 545 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, Mixer, Moran,

Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 874—An act to amend section 433j of the Civil Code, relating to insurance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 874 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Maloney, Mixter, Moran, Nelson, Riley, Rochester, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1176—An act to amend section 820 of the Penal Code, relating to warrants of arrest.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1176 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 806—An act to amend sections 1195b, 1205, 1210, 1229 and 1261 of the Political Code, relating to registration of electors and conduct of elections, and to repeal section 1262 of the Political Code, relating to tally lists.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 806 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1506—An act to amend section 5 of chapter -----, Statutes of 1923, entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or

parts of acts inconsistent therewith," approved May 23, 1923, relating to duties of State Fire Marshal.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1506 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONSTITUTIONAL AMENDMENT No. 3.

A resolution to propose to the people of the State of California an amendment to section 1 of article IV of the constitution of said State, relating to the submission of drafts of initiative and referendum measures to the Attorney General, and to the filing of initiative or referendum petition.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California, at its forty-ninth regular session commencing on the fifth day of January, 1931, two-thirds of all the members elected to each of the two houses of said Legislature voting in favor thereof, hereby proposes to the people of the State of California that section 1 of article IV of the constitution of said State be amended to read as follows:

Section 1. The legislative power of this State shall be vested in a Senate and Assembly which shall be designated "The Legislature of the State of California," but the people reserve to themselves the power to propose laws and amendments to the constitution, and to adopt or reject the same, at the polls independent of the Legislature, and also reserve the power, at their own option, to so adopt or reject any act, or section or part of any act, passed by the Legislature. The enacting clause of every law shall be "The people of the State of California do enact as follows:"

The first power reserved to the people shall be known as the initiative. Upon the presentation to the Secretary of State of a petition certified as herein provided to have been signed by qualified electors, equal in number to eight per cent of all the votes cast for all candidates for Governor at the last preceding general election, at which a Governor was elected, proposing a law or amendment to the constitution, set forth in full in said petition, the Secretary of State shall submit the said proposed law or amendment to the constitution to the electors at the next succeeding general election occurring subsequent to 90 days after the presentation aforesaid of said petition, or at any special election called by the Governor in his discretion prior to such general election. All such initiative petitions shall have printed across the top thereof in 12 point black-face type the following: "Initiative measure to be submitted directly to the electors."

Upon the presentation to the Secretary of State, at any time not less than ten days before the commencement of any regular session of the Legislature, of a petition certified as herein provided to have been signed by qualified electors of the State equal in number to five per cent of all the votes cast for all candidates for Governor at the last preceding general election, at which a Governor was elected, proposing a law set forth in full in said petition, the Secretary of State shall transmit the same to the Legislature as soon as it convenes and organizes. The law proposed by such petition shall be either enacted or rejected without change or amendment by the Legislature, within 40 days from the time it is received by the Legislature. If any law proposed by such petition shall be enacted by the Legislature it shall be subject to referendum, as hereinafter provided. If any law so petitioned for be rejected, or if no action is taken upon it by the Legislature, within said 40 days, the Secretary of State shall submit it to the people for approval or rejection at the next ensuing general election. The Legislature may reject any measure so proposed by initiative petition and propose a different one on the same subject by a yea and nay vote upon separate roll call, and in such event both measures shall be submitted by the Secretary of State to the electors for approval or rejection at the next ensuing general election or at a prior special election called by the Governor, in his discretion, for such purpose. All said initiative petitions last above described shall have printed in 12 point black-face type the following: "Initiative measure to be presented to the Legislature."

The second power reserved to the people shall be known as the referendum. No act passed by the Legislature shall go into effect until 90 days after the final

adjournment of the session of the Legislature which passed such act, except acts calling elections, acts providing for tax levies or appropriations for the usual current expenses of the State, and urgency measures necessary for the immediate preservation of the public peace, health or safety, passed by a two-thirds vote of all the members elected to each house. Whenever it is deemed necessary for the immediate preservation of the public peace, health or safety that a law shall go into immediate effect, a statement of the facts constituting such necessity shall be set forth in one section of the act, which section shall be passed only upon a ye and nay vote, upon a separate roll call thereon; *provided, however*, that no measure creating or abolishing any office or changing the salary, term or duties of any officer, or granting any franchise or special privilege, or creating any vested right or interest, shall be construed to be an urgency measure. Any law so passed by the Legislature and declared to be an urgency measure shall go into immediate effect.

Upon the presentation to the Secretary of State within 90 days after the final adjournment of the Legislature of a petition certified as herein provided, to have been signed by qualified electors equal in number to five per cent of all the votes cast for all candidates for Governor at the last preceding general election at which a Governor was elected, asking that any act or section or part of any act of the Legislature be submitted to the electors for their approval or rejection, the Secretary of State shall submit to the electors for their approval or rejection, such act, or section or part of such act, at the next succeeding general election occurring at any time subsequent to 30 days after the filing of said petition or at any special election which may be called by the Governor, in his discretion, prior to such regular election, and no such act or section or part of such act shall go into effect until and unless approved by a majority of the qualified electors voting thereon; but if a referendum petition is filed against any section or part of any act the remainder of such act shall not be delayed from going into effect.

Any act, law or amendment to the constitution submitted to the people by either initiative or referendum petition and approved by a majority of the votes cast thereon, at any election, shall take effect five days after the date of the official declaration of the vote by the Secretary of State. No act, law or amendment to the constitution, initiated or adopted by the people, shall be subject to the veto power of the Governor, and no act, law or amendment to the constitution, adopted by the people at the polls under the initiative provisions of this section, shall be amended or repealed except by a vote of the electors, unless otherwise provided in said initiative measure; but acts and laws adopted by the people under the referendum provisions of this section may be amended by the Legislature at any subsequent session thereof. If any provision or provisions of two or more measures, approved by the electors at the same election, conflict, the provision or provisions of the measure receiving the highest affirmative vote shall prevail. Until otherwise provided by law, all measures submitted to a vote of the electors, under the provisions of this section, shall be printed, and together with arguments for and against each such measure by those in favor of, and those opposed to, it shall be mailed to each elector in the same manner as now provided by law as to amendments to the constitution, proposed by the Legislature; and the persons to prepare and present such arguments shall, until otherwise provided by law, be selected by the presiding officer of the Senate.

If for any reason any initiative or referendum measure, proposed by petition as herein provided, be not submitted at the election specified in this section, such failure shall not prevent its submission at a succeeding general election, and no law or amendment to the constitution, proposed by the Legislature, shall be submitted at any election unless at the same election there shall be submitted all measures proposed by petition of the electors, if any be so proposed, as herein provided.

Prior to circulation of any initiative or referendum petition for signatures thereof, a draft of the said petition shall be submitted to the Attorney General with a written request that he prepare a title, and summary of the chief purpose and points of said proposed measure, said title and summary not to exceed 100 words in all. The persons presenting such request to the Attorney General shall be known as "proponents" of said proposed measure. The Attorney General shall preserve said written request until after the next general election.

Any initiative or referendum petition may be presented in sections, but each section shall contain a full and correct copy of the title and text of the proposed measure. Each signer shall add to his signature his place of residence, giving the street and number if such exist. His election precinct shall also appear on the paper after his name. The number of signatures attached to each section shall be at the pleasure of the person soliciting signatures to the same. Any qualified elector of the State shall be competent to solicit said signatures within the county or city and county of which he is an elector. Each section of the petition shall bear the name of the county or city and county in which it is circulated, and only qualified electors of such county or city and county shall be competent to sign such section. Each section shall have attached thereto the affidavit of the person soliciting signatures to the same, stating his own qualifications and that all the signatures to the attached section were made in his presence and that to the best of his knowledge and belief each signature to the section is the genuine signature of the person whose name it purports to be, and no other affidavit thereto shall be required. The affidavit of any person soliciting

signatures hereunder shall be verified free of charge by any officer authorized to administer oaths. Such petitions so verified shall be prima facie evidence that the signatures thereon are genuine and that the persons signing the same are qualified electors. Unless and until it be otherwise proven upon official investigation, it shall be presumed that the petition presented contains the signatures of the requisite number of qualified electors.

Each section of the petition shall be filed with the clerk or registrar of voters of the county or city and county in which it was circulated, but all said sections circulated in any county or city and county shall be filed at the same time. Within 20 days after the filing of such petition in his office the said clerk, or registrar of voters, shall determine from the records of registration what number of qualified electors have signed the same, and if necessary the board of supervisors shall allow said clerk or registrar additional assistance for the purpose of examining such petition and provide for their compensation. The said clerk or registrar, upon the completion of such examination, shall forthwith attach to said petition, except the signatures thereto appended, his certificate, properly dated, showing the result of said examination and shall forthwith transmit said petition, together with his said certificate, to the Secretary of State and also file a copy of said certificate in his office. Within 40 days from the transmission of the said petition and certificate by the clerk or registrar to the Secretary of State, a supplemental petition identical with the original as to the body of the petition but containing supplemental names, may be filed with the clerk or registrar of voters, as aforesaid.

The right to file the original petition shall be reserved to its proponents, as defined herein and any section thereof or supplement thereto presented for filing by any person or persons other than the proponents of a measure or by persons duly authorized in writing by such proponents shall be disregarded by the county clerk or registrar of voters.

The clerk or registrar of voters shall within 10 days after the filing of such supplemental petition make like examination thereof, as of the original petition, and upon the completion of such examination shall forthwith attach to said petition his certificate, properly dated, showing the result of said examination, and shall forthwith transmit a copy of said supplemental petition, except the signatures thereto appended, together with his certificate, to the Secretary of State.

When the Secretary of State shall have received from one or more county clerks or registrars of voters a petition certified as herein provided to have been signed by the requisite number of qualified electors, he shall forthwith transmit to the county clerk or registrar of voters of every county or city and county in the State his certificate showing such fact. A petition shall be deemed to be filed with the Secretary of State upon the date of the receipt by him of a certificate or certificates showing said petition to be signed by the requisite number of electors of the State. Any county clerk or registrar of voters shall, upon receipt of such copy, file the same for record in his office. The duties herein imposed upon the clerk or registrar of voters shall be performed by such registrar of voters in all cases where the office of registrar of voters exists.

The initiative and referendum powers of the people are hereby further reserved to the electors of each county, city and county, city and town of the State to be exercised under such procedure as may be provided by law. Until otherwise provided by law, the legislative body of any such county, city and county, city or town may provide for the manner of exercising the initiative and referendum powers herein reserved to such counties, cities and counties, cities and towns, but shall not require more than 15 per cent of the electors thereof to propose any initiative measure nor more than 10 per cent of the electors thereof to order the referendum. Nothing contained in this section shall be construed as affecting or limiting the present or future powers of cities or cities and counties having charters adopted under the provisions of section 8 of article XI of this constitution. In the submission to the electors of any measure under this section, all officers shall be guided by the general laws of this State, except as is herein otherwise provided. This section is self-executing, but legislation may be enacted to facilitate its operation, but in no way limiting or restricting either the provisions of this section or the powers herein reserved.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called and Senate Constitutional Amendment No. 3 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Crittenden, Deuel, Dural, Edwards, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—Senators Christian, and Cleveland—2.

Senate Constitutional Amendment No. 3 ordered transmitted to the Assembly.

Senate Bill No. 773—An act to amend chapter 387, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California Bond Certification Commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California Bond Certification Commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California Bond Certification Commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts, approved June 13, 1913, as amended, by amending the title and sections 2, 2b, 2d, 4, 5, 8, 9, 10, 11, 13, 14, 15, 17, 19, 20, 21, 23, 30, 31, 36, 39 and 49 and by adding a new section thereto to be numbered section 60, relating to the organization, functions, purposes, powers, duties, government, dissolution and control of water districts; the election, appointment, qualifications, compensation, tenure, functions, powers, duties and jurisdiction of the officers and employees thereof; the jurisdiction and supervision of county boards of supervisors thereover: fees of county officers; the assessment, fixing of rate, levy and collection of taxes therefor; issuance, approval and sale of bonds; receipt and disposition of moneys; incurrence, payment and discharge of debts and obligations; the acquisition, transfer, disposition and sale of property and property rights thereof and the making of contracts, leases and agreements in respect thereto; the annexation and exclusion of lands; the office of the district; the security, use, distribution and apportionment of water for irrigation purposes and the irrigation of lands therein; the obtaining, maintaining, operating, using and constructing of irrigation works; and providing a short title for this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 773 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 654—An act to add a new section to the Weights and Measures Act, approved June 16, 1913, as amended, to be numbered 16x2, relating to the salaries of the scaler of weights and measures, and deputies, in counties of the second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 654 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 120—An act to amend sections 3, 9, 12 and 20a of, and to add new sections numbered 3a, 3b, 3c and 12a to the California Real Estate Act, relating to the State Real Estate Department, the issuance and revocation of licenses, the examination of subdivision projects, and creating the California Real Estate Advisory Council—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Senate Bill No. 120 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 315—An act to amend section 456 of the Political Code, relating to the employees in the office of the State Treasurer, and fixing their salaries—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Senate Bill No. 315 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 732—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 11 and 12 of chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses;

providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the registrar of contractors and proceedings for revocation of licenses;

Also: Senate Bill No. 742—An act to amend chapter 586, Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending sections 37, 37a, 37c and 37f thereof and by adding thereto two new sections to be numbered 37g and 37h, all relating to the distribution of water in accordance with the rights thereto as determined by court decree or written agreement;

Also: Senate Bill No. 729—An act to amend section 24 of chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, relating to references to the State Water Commission, as referee;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 732 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "5, 6, 7, 8, 11 and 12 of", and insert in lieu thereof the following: "6, 7, 8, 9, 10, 11 and 12 of, and to add new sections numbered 9a and 10a, to".

AMENDMENT NUMBER TWO,

On page 1, line 19, of the printed bill, strike out the semicolon, and insert in lieu thereof a comma and the following: "or clearing or other work upon land in rural districts for fire prevention purposes;"

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, strike out lines 4 to 14, inclusive, and insert in lieu thereof the following:

"(d) Public utilities operating under the regulation of the state railroad commission on construction work incidental to their own business; or any construction, repair or operation incidental to the discovering or producing of petroleum or gas, or the drilling, testing, abandoning, or other operation of any petroleum or gas well, when performed by an owner or lessee;

(e) Sole owners of property building thereon dwellings intended for the use and occupancy of such owners and their families;"

AMENDMENT NUMBER FOUR.

On page 2, line 19, of the printed bill, strike out the word "fifty", and insert in lieu thereof the following: "two hundred".

AMENDMENT NUMBER FIVE.

On page 2, line 20, of the printed bill, strike out the period, and insert in lieu thereof a semicolon and the following: "provided, however, that the limitations of this section shall not apply in any case wherein the work of construction is only a part of a larger or major operation, or in which a division of the operation is made in contracts of amounts less than two hundred dollars for the purpose of evasion of this act, or otherwise; and provided further, that the provisions of this section shall not apply to any work or operation connected with the sale or installation of any finished product, material, or article of merchandise, which is not fabricated into and does not become a permanent fixed part of the structure."

AMENDMENT NUMBER SIX.

On page 2, line 41, of the printed bill, strike out the words "For the purpose of this act," and insert in lieu thereof the following: "The administration of this act is hereby placed under the jurisdiction of".

AMENDMENT NUMBER SEVEN.

On page 2, line 44, of the printed bill, immediately preceding "shall", insert the following: "who".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out lines 51 and 52, and on page 3, strike out lines 1 to 28, inclusive, and insert in lieu thereof the following: "The positions of registrar, deputy registrar, secretary, stenographer, and investigators are hereby declared to be exempt from the provisions of the civil service law."

AMENDMENT NUMBER NINE.

On page 3, line 29, of the printed bill, strike out the figure "5", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER TEN.

On page 3, line 41, of the printed bill, after "business", insert a comma and the following: "and satisfactory evidence of the possession thereof shall be exhibited by him upon demand".

AMENDMENT NUMBER ELEVEN.

On page 3, line 42, of the printed bill, strike out the figure "6", and insert in lieu thereof the figure "5".

AMENDMENT NUMBER TWELVE.

On page 3, line 48, of the printed bill, after "such", strike out "license", and insert in lieu thereof the following: "licensee".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 51, of the printed bill, strike out the word "fifteenth", and insert in lieu thereof the following: "thirtieth".

AMENDMENT NUMBER FOURTEEN.

On page 4, line 10, of the printed bill, strike out "SEC. 7.", and insert in lieu thereof the following: "SEC. 6."

AMENDMENT NUMBER FIFTEEN.

On page 4 of the printed bill, between lines 36 and 37, insert the following:

"SEC. 7. Section 9 of chapter 791, Statutes of 1929, is hereby amended to read as follows:

Sec. 9. The registrar of contractors may upon his own motion, and shall upon the verified complaint in writing of any person, investigate the actions of any contractor within the state and shall have power to temporarily suspend or permanently revoke a license issued under the provisions of this act if the holder, while a licensee hereunder, is guilty of or commits any one or more of the following acts or omissions:

(1) Abandonment of any contract without legal excuse;

(2) Diversion of funds or property received for prosecution or completion of a specific contract, or for a specified purpose in the prosecution or completion of any contract, and their application or use for any other contract, obligation or purpose.

(3) Fraudulent departure from or disregard of, plans or specifications in any material respect, without consent of the owner or his duly authorized representative.

(4) Wilful and deliberate disregard and violation of the building code of the state, or of any political subdivision thereof, or of the safety laws or labor laws of the state.

(5) Failure to keep records showing all receipts and disbursements of the licensee in all of his transactions as a contractor as that term is defined in this act.

(6) Misrepresentation of a material fact by applicant in obtaining a license.

(7) The doing of any wilful, fraudulent act by the licensee as a contractor in consequence of which another is substantially injured.

SEC. 8. A new section is hereby added to chapter 791, Statutes of 1929, to be numbered 9a, and to read as follows:

Sec. 9a. Upon the filing with the registrar of a verified complaint charging a licensee with the commission within two years prior to the date of filing of such complaint of any act which is cause for suspension or revocation of license, the registrar must forthwith issue a citation directing the licensee, within ten days after service of the citation upon him, to appear by filing with the registrar his verified answer to the complaint, showing cause, if any he has, why his license should not be suspended or revoked. Service of the citation upon the licensee shall be fully effected by mailing a true copy thereof, together with a true copy of the complaint, by United States registered mail in a sealed envelope with postage fully prepaid thereon addressed to the licensee at his latest address of record in the registrar's office. Service of said citation shall be complete at the time of said deposit subject to the provisions of section 1013 of the Code of Civil Procedure of this state. Failure of the licensee to answer shall be deemed an admission by him of the commission of the act or acts charged in the complaint and thereupon the registrar shall have power forthwith to suspend or revoke the license.

Upon the filing of the answer, the registrar shall fix a time and place for the hearing and give the licensee and the complainant not less than five days' notice thereof. The notice may be served by depositing in the United States mail a true copy of the notice enclosed in a sealed envelope with postage thereon fully prepaid and addressed to the licensee and to the complainant, respectively, at his last known address. With the notice to the complainant there shall be attached or enclosed a copy of the answer. If either party has appeared by counsel, the notice shall be given, in like manner, to counsel instead of to the party.

Upon the hearing, the registrar shall hear all relevant and competent evidence offered by the complainant and by the licensee, and shall have power to continue the hearing from time to time as in his judgment may be necessary or proper. After the hearing is concluded and the matter submitted, the registrar shall, within ten days after such submission, render his decision in writing, suspending or revoking the license or dismissing the complaint, with a brief statement of his reasons therefor. He shall give to the complainant and the licensee, or their respective attorney, notice of the decision, by mail, in the same manner as prescribed herein for the giving of

notice of hearing. A decision of the registrar suspending or revoking a license shall not take effect until twenty days after such service of notice of the decision.

Within twenty days after such service of notice of the decision of the registrar suspending or revoking a license, the licensee may apply for a rehearing by filing with the registrar his petition in writing therefor. Within five days after such filing, the registrar shall cause notice thereof to be served upon the complainant by mailing a copy of the petition for rehearing to the complainant in the same manner as herein prescribed for the giving of notice of hearing.

The filing of a petition for rehearing as to the registrar's action in suspending or revoking a license suspends the operation of such action and permits the licensee to continue to do business as a contractor pending denial or granting of the petition, and, if the petition be granted, pending decision of the registrar upon rehearing.

In his order granting or denying a rehearing, the registrar shall set forth a statement of the particular grounds and reasons for his action on the petition and shall forthwith mail a copy of the order to the parties who have appeared in support of or in opposition to the petition for rehearing. If a rehearing is granted, the registrar shall set the matter for further hearing on due notice to the parties, given in the same manner as prescribed herein for the giving of notice of an original hearing.

Within ten days after submission of the matter upon rehearing, the registrar shall render his decision in writing and give notice thereof in the same manner as of a decision rendered upon an original hearing.

Within thirty days after service of notice of the order denying the rehearing or of the decision rendered upon the rehearing, any party aggrieved by the order or decision of the registrar may appeal therefrom to the superior court of the State of California, in and for the county or city and county in which the person affected by such decision resides or has his place of business under the terms of this act, by serving upon the registrar a notice of such appeal and a demand in writing for a certified transcript of all the papers on file in his office affecting or relating to such decision and all the evidence taken on the hearing and paying therefor at the rate of ten cents for each folio of the transcript and one dollar for the certification thereof. Thereupon, the registrar shall, within thirty days, make and certify such transcript, and the appellant shall, within five days after receiving the same, file the same and the notice of appeal with the clerk of said court. Upon the hearing of such appeal, the court shall be limited to a consideration and determination of the question whether there has been an abuse of discretion on the part of the registrar in making such decision.

When an appeal is taken to said superior court from the order or decision of the registrar suspending or revoking a license, such order or decision shall remain in effect pending final determination of the matter, unless the appellant shall file with the court a bond in a sum to be fixed by the court or by the judge thereof in favor of the people of the State of California and conditioned upon the faithful performance of all the obligations of said appellant as a contractor, pending the final determination of the matter on appeal and until the fulfillment by the contractor of any condition imposed by such order or decision of the registrar. Such bond shall be for the benefit of any person having dealings with said appellant in his capacity as a contractor, and any person so dealing with said appellant in such capacity shall have the right to commence and maintain an action thereon in his own name against such contractor and his sureties on said bond.

If such superior court shall determine that a contractor's license should be suspended or revoked, it shall by its judgment suspend or revoke such license. The clerk of such superior court shall within ten days after the entry of any such judgment on appeal transmit to the registrar, by United States mail, a notice containing information as to the affirmance, modification or reversal of the order or decision of the registrar in said matter.

The suspension or cancellation of license as in this act provided may also be embraced in any action otherwise proper in any court involving the licensee's performance of his legal obligation as a contractor.

SEC. 9. Section 10 of chapter 791, Statutes of 1929, is hereby amended to read as follows:

SEC. 10. A judgment of suspension or cancellation of license by the superior court shall be subject to appeal or review in accordance with the provisions of law as to appeal from or review of judgments of superior courts, but there shall be no stay of execution or enforcement of such judgment pending such proceedings on appeal or review unless the appellant or applicant for review shall file a bond in all respects condition as, and similar to, the bond required by section 9a of this act.

The clerk of the court wherein said judgment has become final shall, within ten days after the entry of such final judgment, transmit, by United States mail, to the registrar, a notice containing information as to the affirmance, modification or reversal of the judgment of the superior court in said matter.

SEC. 10. A new section is hereby added to chapter 791, Statutes of 1929, to be numbered 10a, and to read as follows:

SEC. 10a. In any investigation, proceeding or hearing which under the provisions of this act he is empowered to institute, conduct or hold, the registrar, deputy registrars and examiners shall have the power to administer oaths, certify to official acts, issue subpoenas for the attendance of witnesses and the production of books, papers, and records, and exercise all of the powers conferred upon the head of a department

by the provisions of section 353 of the Political Code. All of the provisions of said section are incorporated herein with the same force and effect as if herein set forth at length and wherever in said section the term "head of a department" or similar designation occurs, the same, for the purpose of this reference, means the "registrar of contractors."

AMENDMENT NUMBER SIXTEEN.

On page 4, line 37, of the printed bill, strike out the figure "8", and insert in lieu thereof the figure "11".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 51, of the printed bill, strike out the figure "9", and insert in lieu thereof the figure "12".

AMENDMENT NUMBER EIGHTEEN.

On page 5, lines 2 and 3, of the printed bill, strike out the words "who commits any of the acts hereinafter in this section enumerated", and insert in lieu thereof the following: "who acts in the capacity of a contractor within the meaning of this act without a license as herein provided, and any person who conspires with another person to violate any of the provisions of this act,".

AMENDMENT NUMBER NINETEEN.

On page 5 of the printed bill, strike out lines 15 to 20, inclusive, and insert in lieu thereof the following:

"No person engaged in the business or acting in the capacity of a contractor as defined by section 3 of this act, shall bring or maintain any action in any court of this state for the collection of compensation for the performance of any act for which a license is required by this act without alleging and proving that such person was a duly licensed contractor at the time the alleged cause of action arose."

AMENDMENT NUMBER TWENTY.

On page 5 of the printed bill, strike out lines 24 to 30, inclusive.

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 742 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "amended", insert the words "to read".

AMENDMENT NUMBER TWO.

On page 1, line 21, of the printed bill, strike out the words "and pursuant".

AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed bill, strike out the words "and pursuant".

AMENDMENT NUMBER FOUR.

On page 2, line 9, of the printed bill, after the word "amended", insert the words "to read":

AMENDMENT NUMBER FIVE.

On page 2, line 15, of the printed bill, after the word "appoint", insert the words "a water master and if necessary in its discretion".

AMENDMENT NUMBER SIX.

On page 2, line 16, of the printed bill, after the word "more", insert the word "deputy".

AMENDMENT NUMBER SEVEN.

On page 2, line 16, of the printed bill, after the word "district", strike out the period and in lieu thereof insert the following: "and shall have authority to incur expense and make expenditures as may be necessary to provide for the administration of such district and the distribution of water therein. Any duty or authority in this act vested in a water master may be exercised by the water master directly or through the agency of a deputy water master."

AMENDMENT NUMBER EIGHT.

On page 3, line 4, of the printed bill, after the word "amended", insert the words "to read".

AMENDMENT NUMBER NINE.

On page 4, line 12, of the printed bill, after the word "amended", insert the words "to read".

AMENDMENT NUMBER TEN.

On page 4, line 18, of the printed bill, strike out the words "said compensation and travel expenses", and insert in lieu thereof the words "the cost of administration of a water master district and the distribution of water therein".

AMENDMENT NUMBER ELEVEN.

On page 4, line 40 of the printed bill, strike out the word "supervising", and insert in lieu thereof the words "administration of such district and".

AMENDMENT NUMBER TWELVE.

On page 4, line 45, of the printed bill, strike out the word "including", and strike out all of lines 46, 47 and 48.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 49, of the printed bill, after the word "and", insert the following: "including any other costs of administration of such district or of distribution of water therein, and".

AMENDMENT NUMBER FOURTEEN.

On page 9, line 28, of the printed bill, strike out the words "provided, that in the event" and all the rest of the bill, and insert in lieu thereof the following: "provided, that in all cases wherein at the time of creation of a water master district all the owners have formed an association by agreement in writing and have filed a certified copy of such agreement as in this section provided, the state water commission shall not file a certified copy of the order creating such district and a description of the lands within such district in the office of the county recorder as required in section 37f of this act, and in all such cases the state water commission shall not render water master service to such water master district during any calendar year next succeeding the first day of December of any year during which such an association shall fail to pay the total amount apportioned to it on or before the first day of December of such year."

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 729 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "section 24 of".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, after the comma after the word "amended", insert the words "by amending section 24 thereof and by adding thereto a new section to be numbered 24a, both".

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, strike out the words "the superior court", and insert in lieu thereof the words "any court of competent jurisdiction".

AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, change the comma after the word "suit", to a period, and strike out the words "whether of fact".

AMENDMENT NUMBER FIVE.

On page 1, line 12, of the printed bill, strike out the following: "or of law."

AMENDMENT NUMBER SIX.

On page 1, between lines 20 and 21, of the printed bill, insert a new paragraph to read as follows:

"The report of the state water commission as referee may contain such an opinion upon the law and the facts as may be deemed proper by it in view of the issues submitted and shall set forth such findings of fact and conclusions of law as may be required by the court's order of reference. Before filing its report the commission shall announce it in the form of a draft of which it shall give notice, together with a copy of its opinion and findings of fact and conclusions of law, to the parties or their attorneys by mail. Within thirty days after the aforesaid date of mailing any party may file objections with the commission to the draft so announced and after such objections have been considered by the commission or a hearing held thereon if deemed advisable by the commission, it shall file its report as referee with the clerk of the court and give notice by mail of the filing of its report to the parties or their attorneys. The report of the state water commission as referee shall be subject to review by the court upon exceptions thereto filed with the clerk of the court within thirty days after date of the filing thereof, provided that no exception shall be considered except in the court's discretion, or for good cause shown, unless it shall appear that the matter of the exception had theretofore been presented to the commission in the form of an objection."

AMENDMENT NUMBER SEVEN.

On page 2, line 13, of the printed bill, strike out the words "such apportionment", and insert in lieu thereof the words "the expense of the commission as referee or to the apportionment thereof".

AMENDMENT NUMBER EIGHT.

On page 2, line 16, of the printed bill, strike out the words "an apportionment", and insert in lieu thereof the words "the expense of a reference or the apportionment thereof".

AMENDMENT NUMBER NINE.

On page 2, line 17, of the printed bill, strike out the words "accepted it", and insert in lieu thereof the words "waived all objection thereto".

AMENDMENT NUMBER TEN.

On page 2, line 18, of the printed bill, strike out the words "such an apportionment", and insert in lieu thereof the words "the expense of a reference or the apportionment thereof".

AMENDMENT NUMBER ELEVEN.

On page 2, line 29, of the printed bill, after the period add the following: "If the funds available for use by the commission are inadequate to permit of its advancing the expense of a reference, or if in the opinion of the commission the payment of the expense of any reference under the procedure above set forth will not be reasonably certain, it shall in any such instances refuse to undertake a reference unless and until adequate provision shall be made by the parties and approved by the court whereby payments shall be made to the commission to meet its expenses.

SEC. 2. A new section is hereby added to chapter 586 to be numbered 24a and to read as follows:

Sec. 24a. In case suit is brought in a federal court for determination of rights to water or the use of water within this state or partially therein, the state water commission may accept a reference of such suit as master or referee for such court. In so acting the commission shall proceed according to the rules of practice and procedure of such court or as otherwise directed by such court."

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 410—An act to amend section 364a of the Political Code, relating to the creation of a Division of Immigration and Housing in the Department of Industrial Relations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; noes—1.

CRITTENDEN, Chairman.

Senate Bill No. 410 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 1867—An act to amend section 5 of chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the licensing of contractors, and providing that this act shall take effect immediately—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

Assembly Bill No. 1867 ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Maloney:

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 117 of the Political Code, relating to congressional districts.

Request referred to Committee on Rules.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Cassidy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Henry Engall of Grass Valley.

On request of Senator Edwards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. L. M. Gardiner of Fullerton, California.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Vacaville Union High School, Mrs. Harry Nelson, teacher, and students as follows: Tsuyako Ichimoto, Catharine Holdener, Anna Holdener, Glenna Shea, Martha Owen, Edlef Pyle, Jack Moore, Carnation Aravola, Clarence Ver Valeke, Merwin Barnes, Sam Damiano, Carl Danielson, Rose Moresco, Helen Inai, Jessie Furuya, McKnight Brazelton, Edythe Bassford, Kathryn Burke, Frank Castro, Earl Chamberlain, Georgiana Dally, Barbara Eastin, Evelyn McDowell, Marguerite Newton, Myrtle Peltay, Norma Reynolds, Ruth Tate, Eva Jensen, Arthur Baker, Keichi Hayame, Benjamin Matsura, Thelma Wren, Carol Barnes and Charlotte Rogers.

RECONSIDERATION WAIVED.

Senator Jones waived his notice to reconsider the vote whereby Senate Bill No. 166 was passed.

Senate Bill No. 166 ordered transmitted to the Assembly.

ADJOURNMENT.

At three o'clock and twenty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Thursday, March 26, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, March 26, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack,

McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, March 25, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Edward Kelly School, Mary A. Cox, teacher, and pupils as follows: Agnes Santos, May Nakatomi, Ruth Studaurus, Antoinette Landsborough, Curtis Schmidt, Cooter Schmidt, Kenyo Abe, and James Nakatomi.

On request of Senator Baker, the privilege of the floor of the Senate Chamber for this day was unanimously extended to V. H. Watson of Antioch.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Professor Peter W. Knowles of Sacramento.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. C. Johnson and H. P. Humphreys.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Frances Caroline Stevens of San Francisco.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leon Hecht of San Francisco.

On request of Senator Riley, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Kathleen Georgis of Burlingame.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ella Deckelman of Oakland.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Thomas J. Hutchinson and Hon. Frank Luttrell of Santa Rosa.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. C. Rhodes, sheriff of Madera County.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to St. Vincent High School of Petaluma; Sister Mary Baptist and Sister Mary Vincentius; Raymond Righetti, Oscar Brunetti, Ludy Roach, Parnell McCarthy, Gabriel Matoza, Aletha Mattei, Virginia Mattei, Elizabeth Studdert, Inez Brunetti, Isabel Schoningh and Lucille Ambrogio, students; and Mrs. V. Mattei and Mrs. P. McCarthy.

On request of Senator Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Councilman W. F. Murray, of the city of Alameda, and Mrs. Murray, and Mr.

Bernard Leads of San Francisco, also Mr. Walter W. Patty, district manager, National Automobile Club at Oakland, and Miss Florence Anderson, secretary, East Bay Safety Council, Oakland.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Gladys Ivey Osborne, Oakland, and Miss Gladys Mae Olds, Oakland.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Rio Linda Union School, Mr. Bower, principal, Mr. E. K. Frederick, teacher, and pupils as follows: Kathleen Vanderford, Helen Moorsee, Vernier Melin, Mary Wetherbee, Marvin Denver, Lena Penoff, Bobby Majerus, Albert Spehr, Louise Irwin, Harry Jensen, Faye Horack, Osborne Smith, Everett Chaffin, Harold Zimmerman, Bonnie Washburn, James Carter, Desmond Eaton, Clifford Bean, Florence Klausner, Marie Handler, Dorothy Gilmore, Anita Schmedtje, Pearl Runyan, Arnt Olson, Eva Pottinger, Alice Keener, Boruff Smith, Sherman Dodge, Charles Woodward, Wayne Rathburn, Nile Hanes, Alfred Blegan and Ralph Johnson.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to North Sacramento School, H. A. Johnson, teacher, and pupils as follows: V. Strader, Fred Craft, Gerald Nash, Clarista Russell, Alice Higgins, Amelia Ramirez, Polly Howard, Hazel Harris, Orville Springer, W. Fields, Frances Orlans, Carl Wheeler, Melvin Millert, Harold Benson, Carl Johnson, Jr., Meriam Bagwell, Eva Gonzales, Nancy J. Anderson, Opal M. Van Amburg, Edward M. Cooper, George M. Douglass, Hiram W. Carll, Dorthy Trevis, Mildred Baker, Carrie Padilla, Josie Howard, Don F. Jackson, Agnes Yost, Genevieve Lamont, Doris Risk, Bobbie Anderson, Daniel Gonzales, Adolph Vidurri, Joe Ramirez, Layne Simkins, Irene Lewis, Jennie Padilla, Lorea Wooten, Grayce Jones, Ollie Carey, Dorothy Ross, Alice Lopes, Freida Seutter, Calvin Gardner, Dudley Sanders, Jimmie L. Barnhart, Arthur L. Greene, Eugene Borders, Royal Caire, Edwin Hansen, Bennett Hall, Shirley Crosiar, Marian Schmit and Irene Lopes.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 24 passed Assembly Bill No. 1122—An act to amend section 67 of the Public Utilities Act, relating to writs of review.

Also: Assembly Bill No. 1044—An act providing for the granting of franchises in counties, cities and counties, cities or towns for the disposal or destruction or both, of garbage and other waste.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1122 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1044 read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 403—An act to provide for the inspection and certification

of liquid eggs, frozen eggs and dried eggs and any other egg products produced in the State of California and within the United States and imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with respect thereto, and to provide penalties for violations of the provisions of this act—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 684—An act to promote the development of the California ripe olive industry and to prevent deception in the packing and sale of canned ripe olives by establishing and defining certain standards for canned ripe olives, defining the powers and duties of the director of the Department of Agriculture in relation hereto including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provisions hereof;

Also: Senate Bill No. 863—An act to amend section 16536 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-sixth class;

Also: Senate Bill No. 867—An act to add section 19236 to the Juvenile Court Law, relating to probation officers in counties of the thirty-sixth class; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 308—An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such districts to defray the expenses thereof;

Also: Senate Bill No. 328—An act to amend sections 5 and 10 of an act entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by providing for the sale and disposition by such districts of water, sewage effluent, fertilizer and other by-products resulting from the operation of sewage plants, and for the conservation of water, and for distributing the proceeds of the sales of bonds;

Also: Senate Bill No. 485—An act to amend sections 2 and 5½ of chapter 319, Statutes of 1913, entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 29, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse, to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,'" relating to examination fees;

Also: Senate Bill No. 555—An act to amend section 27 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by extending the limitation of time for the filing of proceedings for compensation where a release or compromise agreement has not been approved by the commission; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 26—An act to provide for the payment of the highest general prevailing rate of wages on public work, whether the work is done by contract or otherwise, and double pay for legal holiday work and for such overtime work as is permitted by law, providing for the ascertainment of such highest general prevailing rate by the public body awarding the contract and its insertion in the contract and bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof;

Also: Senate Bill No. 70—An act to amend sections 9 and 19 of and to add sections 15a, 15b, 15c, 15d, and 15e, to an act entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded

drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration of drugs:

Also: Senate Bill No. 83—An act to prohibit the employment of aliens by contractors and subcontractors on all public work, except in certain cases of extraordinary emergency, providing for the reporting of such cases of extraordinary emergency and the keeping of records of the citizenship of workers employed upon public work and the inspection of such records by the proper officials, providing for a forfeiture for each calendar day, or portion thereof, any alien is permitted to work on public work and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof;

Also: Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law; And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 380—An act to add a new section to be numbered 4½ to chapter 397, Statutes 1911, entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for the establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," relating to the laying of water pipes and mains in public streets in cases where the water is supplied by a public agency other than the city ordering the improvement;

Also: Senate Bill No. 425—An act to add a new section, to be numbered 7½, to chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," as amended, approved May 23, 1925, by adding thereto a new section to be designated as section 7½, relating to pensions for marshals and deputy marshals of cities of the first and one-half class; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

HARPER, Chairman.

Senate Bills Nos. 380 and 425 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1103—An act to amend sections 9 and 14 of an act entitled "An act for the registration of deaths, the issuance and registration of burial and disinterment permits and the establishment of registration districts in counties, cities and counties, cities and incorporated towns, under the superintendence of the State Bureau of Vital Statistics and prescribing the powers and duties of registrars, coroners, physicians, undertakers, sextons and other persons in relation to such registration and fixing penalties for the violation of this act," approved March 18, 1905, as amended, to require local registrars to furnish copies of death certificate to county clerk or county registrar of voters without cost—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—7; absent—2.

HARPER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Municipal Corporations, the following amendments to Assembly Bill No. 1103 were read and adopted:

AMENDMENT NUMBER ONE.

On page 4, line 47, of the printed bill, as amended March 10, 1931, strike out the word "local", and insert in lieu thereof the word "state".

AMENDMENT NUMBER TWO.

On page 4, lines 48 and 49, of the printed bill, as amended March 10, 1931, strike out the words "the county in which his registration district lies", and insert in lieu thereof the words "each county".

AMENDMENT NUMBER THREE.

On page 4, line 50, of the printed bill, as amended March 10, 1931, strike out the word "fifth", and insert in lieu thereof the word "thirtieth".

AMENDMENT NUMBER FOUR.

On page 4, line 51, of the printed bill, as amended March 10, 1931, strike out the words "true copy of each certificate of death", and insert in lieu thereof the words "list of all those persons over twenty-one years of age whose deaths have been".

AMENDMENT NUMBER FIVE.

On page 4, line 52, of the printed bill, as amended March 10, 1931, beginning with the word "and", strike out all of the printed matter down to and including the word "fact", on page 5, line 3.

AMENDMENT NUMBER SIX.

On page 5, line 25, of the printed bill, as amended March 10, 1931, strike out the word "copies", and insert in lieu thereof the word "lists".

Bill ordered to print, and re-referred to Committee on Municipal Corporations.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 108—An act regarding certificates of registration as "registered sanitarians" for persons performing the duties of sanitary inspectors or sanitary officers, prescribing terms and conditions under which such inspectors or officers may be employed, and providing penalties for the violation of the provisions hereof;

Also: Senate Bill No. 159—An act relating to certificates of registration of inspectors and sanitary officers as "registered sanitarians"; empowering the State Board of Public Health to certify approved schools, conduct examinations, and to issue or deny "registered sanitarian" certificates; and providing penalties for violation of this act;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—6; absent—5.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 159 were read and adopted:

AMENDMENT NUMBER ONE.

On page 3, line 21, of the printed bill, strike out the words "or agencies".

AMENDMENT NUMBER TWO.

On page 3, line 29, of the printed bill, strike out the words "or agencies".

AMENDMENT NUMBER THREE.

On page 3, line 31, of the printed bill, strike out the words "or agencies".

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Senate Bill No. 108 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, lines 9 and 10, of the printed bill, strike out the words "or agency."

AMENDMENT NUMBER TWO.

On page 2, line 6, of the printed bill, strike out the words "or agencies".

AMENDMENT NUMBER THREE.

On page 2, line 13, of the printed bill, strike out the words "or agencies".

AMENDMENT NUMBER FOUR.

On page 2, line 15, of the printed bill, strike out the words "or agencies".

AMENDMENT NUMBER FIVE.

On page 2, line 21, of the printed bill, strike out the words "or agencies".

AMENDMENT NUMBER SIX.

On page 2, line 32, of the printed bill, strike out the words "or agency".

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 900—An act to amend the California Vehicle Act approved May 30, 1923, and as amended, by amending sections 99, 100, 100½, 101, 102, 103, 104, 106, 108, 110, 111, 111½, 130, adding thereto new sections to be numbered 106½, 111½, 111¾, 111⅞, relating to the use, operation and equipment of motor vehicles operated upon the public highways, requiring lights, reflex mirrors, light indicators, prohibiting certain lights, the sale thereof, the sale of motor vehicles equipped with unlawful lights, regarding the method and requirements for the testing of lights and signals, the approval thereof, authorizing the establishment of official headlamp and brake adjusting stations, and the enforcement of said act—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—9; absent—7.

BAKER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Motor Vehicles, the following amendments to Senate Bill No. 900 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 15 to 20, inclusive.

AMENDMENT NUMBER TWO.

On page 2, line 21, of the printed bill, strike out "(d)", and insert in lieu thereof the following: "(c)".

AMENDMENT NUMBER THREE.

On page 2, line 26, of the printed bill, strike out the word "four", and insert in lieu thereof the following: "three".

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 27 to 30, inclusive, and insert in lieu thereof the following: "beam glare or dazzle. Side lamps shall not be lighted at the same time as the headlamps; the beam of the sidelamp shall be of substantially white light and shall not glare or dazzle."

AMENDMENT NUMBER FIVE.

On page 2, line 32, of the printed bill, insert after the word "board", the following: "courtesy".

AMENDMENT NUMBER SIX.

On page 2, lines 32 and 33, of the printed bill, strike out the phrase "less than four", and insert in lieu thereof the following: "not more than three".

AMENDMENT NUMBER SEVEN.

On page 2, line 35, of the printed bill, strike out "visible directly", and insert in lieu thereof the following: "visible".

AMENDMENT NUMBER EIGHT.

On page 2 of the printed bill, strike out lines 36 to 52, inclusive, and on page 3 of the printed bill, strike out lines 1 to 9, inclusive, and insert in lieu thereof the following:

"(d) Every motor vehicle other than any road roller, road machinery or farm tractor having a body or load width in excess of eighty inches shall carry at the times and under the conditions mentioned in section 99, two clearance lamps on the left side of such vehicle, one located at the front and displaying a blue light visible under normal atmospheric conditions from a distance of five hundred feet to the front and left side of the vehicle and the other located at the rear of the vehicle and displaying a blue light visible under like conditions from a distance of five hundred feet to the rear and left side of the vehicle but such lamps shall not display any excessive, glaring or dazzling light and when a motor vehicle is drawing a trailer or semitrailer clearance lamps as specified in this subsection shall also be placed on the left side at the front and rear respectively of each unit

of such train of vehicles; *provided*, that the left front clearance lamp on any passenger common carrier motor vehicle shall display a green light."

AMENDMENT NUMBER NINE.

On page 3 of the printed bill, strike out line 10, and insert in lieu thereof the following:

"(c) Whenever any officer of the California highway patrol has reasonable".

AMENDMENT NUMBER TEN.

On page 3, line 30, of the printed bill, strike out "division", and insert in lieu thereof the following: "California highway patrol".

AMENDMENT NUMBER ELEVEN.

On page 3, line 36, of the printed bill, strike out "(g)", and insert in lieu thereof the following: "(f)".

AMENDMENT NUMBER TWELVE.

On page 3, line 47, of the printed bill, strike out the word "two", and insert in lieu thereof the following: "three".

AMENDMENT NUMBER THIRTEEN.

On page 3, line 51, of the printed bill, insert after the word "level", the following: "road".

AMENDMENT NUMBER FOURTEEN.

On page 4 of the printed bill, strike out line 1, and insert in lieu thereof the following: "term auxiliary lamp or fog lamp shall denote any com-".

AMENDMENT NUMBER FIFTEEN.

On page 4, line 3, of the printed bill, insert after the word "or", the following: "forward and".

AMENDMENT NUMBER SIXTEEN.

On page 4, line 5, of the printed bill, strike out the word "one", and insert in lieu thereof the following: "two".

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 6, of the printed bill, strike out the comma, and insert in lieu thereof the following: "mounted on opposite sides of the vehicle".

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 7, of the printed bill, insert after the word "with", a comma.

AMENDMENT NUMBER NINETEEN.

On page 4, line 7, of the printed bill, strike out "a headlamp", and insert in lieu thereof the following: "headlamps".

AMENDMENT NUMBER TWENTY.

On page 4, line 9, of the printed bill, strike out the word "when", and insert in lieu thereof the following: ", in which event".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 9, of the printed bill, insert after "auxiliary", the following: "lamps".

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 10, of the printed bill, strike out "the front of".

AMENDMENT NUMBER TWENTY-THREE.

On page 4 of the printed bill, strike out lines 11 to 15, inclusive, and insert in lieu thereof the following: "be substituted; *provided*, that whenever one spotlight is lighted in addition to the headlamps not more than one auxiliary lamp may be lighted, and if two spotlamps are lighted, no auxiliary lamps shall be lighted."

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 18, of the printed bill, strike out "substantially parallel", and insert in lieu thereof the following: "substantial".

AMENDMENT NUMBER TWENTY-FIVE.

On page 5 of the printed bill, strike out lines 47 and 48, and insert in lieu thereof the following:

"Headlamps in which the socket assembly appears to be improperly constructed shall be subjected to out of focus tests. The out of focus tests positions of the lamp bulb filament for headlamps shall not exceed six-hundredths (.06) inch."

AMENDMENT NUMBER TWENTY-SIX.

On page 6 of the printed bill, insert at the end of line 13 the following: "Glaring or dazzling light into the eyes of the approaching driver shall be defined as twelve hundred apparent candlepower at a point one degree arc up and four degrees arc to

the left of a fore and aft line through a point half way between the headlamps and at the level thereof from the combined equipments used to illuminate the roadway."

AMENDMENT NUMBER TWENTY-SEVEN.

On page 10 of the printed bill, strike out lines 21 to 27, inclusive, and insert in lieu thereof the following: "Every motor vehicle, trailer, or semitrailer after January 31, 1932, shall also be equipped with a red reflector at the times and under the conditions specified in section 99, so located at the rear of the vehicle as to be plainly visible for three hundred feet in normal atmospheric conditions."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 10, line 33, of the printed bill, strike out the word "fifteen", and insert in lieu thereof the following: "twenty-one".

AMENDMENT NUMBER TWENTY-NINE.

On page 10, line 35, of the printed bill, strike out the word "twenty-five", and insert in lieu thereof the following: "fifty".

AMENDMENT NUMBER THIRTY.

On page 10, line 42, of the printed bill, strike out the word "any", and insert in lieu thereof the following: "a".

AMENDMENT NUMBER THIRTY-ONE.

On page 10 of the printed bill, strike out lines 43 to 49, inclusive, and insert in lieu thereof the following: "other than a headlamp, auxiliary lamp or sidelamp so designed that the projected beam shall give a distribution substantially a round spot of light not greater than six times the diameter of the effective area of the lamp at twenty-five feet. Motor vehicles may be equipped with not to exceed two spotlamps. Spotlamps shall not be used in substitution of headlamps. Two spotlamps may be used in addition to the headlamps; *provided*, that when two auxiliary lamps are lighted with the headlamps, no spotlamps shall be lighted, but if only one auxiliary lamp is lighted with the headlamps, one spotlamp may also be lighted."

AMENDMENT NUMBER THIRTY-TWO.

On page 11, lines 22 and 23, of the printed bill, strike out "separately attached and wired from the vehicle, and".

AMENDMENT NUMBER THIRTY-THREE.

On page 11, line 26, of the printed bill, insert after the word "cloth", the following: "maintained".

AMENDMENT NUMBER THIRTY-FOUR.

On page 11, lines 36 and 37, of the printed bill, strike out "and a reflex mirror showing green to the front and red to the rear".

AMENDMENT NUMBER THIRTY-FIVE.

On page 11, line 39, of the printed bill, insert after the phrase "from the", the following: "sides and".

AMENDMENT NUMBER THIRTY-SIX.

On page 11, line 49, of the printed bill, insert after the word "board", and within the parenthesis, the following: "courtesy".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 12, line 2, of the printed bill, insert after the word "with", the following: "any".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 12 of the printed bill, strike out line 3, and insert in lieu thereof the following: "of a type specifically required or permitted in the previous sections for giving illumination to the front, rear, or sides of a motor vehicle, trailer or semitrailer."

AMENDMENT NUMBER THIRTY-NINE.

On page 12, line 22, of the printed bill, strike out the word "vehicle", and insert in lieu thereof the following: "motor vehicle, other than for the purposes of wrecking or junking".

AMENDMENT NUMBER FORTY.

On page 12, line 22, of the printed bill, strike out "lights or lamps", and insert in lieu thereof the following: "headlamps or a rear lamp".

AMENDMENT NUMBER FORTY-ONE.

On page 12, line 23, of the printed bill, strike out the period, and insert in lieu thereof the following: "in design, construction or condition."

AMENDMENT NUMBER FORTY-TWO.

On page 14 of the printed bill, strike out lines 3 to 8, inclusive.

Bill ordered to print, and re-referred to Committee on Motor Vehicles.

Also:

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 892—An act to provide for the securing of payment by owners of private automobiles of damages for injuries to persons or property caused by the negligence of such owners, or their agents or presumptive agents, by requiring insurance, a surety bond, or a deposit of securities; to provide means and methods for the administration of said system of security; to substitute the rule of comparative negligence for contributory negligence in proceedings concerning such injuries; to provide for the form of insurance policies required hereunder, for the classification of risks covered by said insurance and for the application of the minimum rating law to such insurance; to prescribe penalties for violations of this act, and making an appropriation for the administration of this act, has had the same printed and considered, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

(Signed out)

BAKER, Chairman.
BREED.
CRITTENDEN.
EDWARDS.
MALONEY.
PEDROTTI.
RILEY.
SHARKEY.
TREACY.
WAGY.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Motor Vehicles, the following amendments to Senate Bill No. 892 were read and adopted:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, strike out "concerning", and insert in lieu thereof the following: "to recover damages for".

AMENDMENT NUMBER TWO.

In line 9 of the title of the printed bill, after the semicolon following "injuries", insert the following: "to provide for the optional trial of claims against such security before a commissioner;"

AMENDMENT NUMBER THREE.

In line 11 of the title of the printed bill, strike out "said", and insert in lieu thereof the following: "such".

AMENDMENT NUMBER FOUR.

In line 13 of the title of the printed bill, after "making", insert the following: "provision and".

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, between lines 2 and 3, insert the following:

"7. The term "commissioner" means the commissioner designated by section 30 of this act."

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, strike out lines 14, 15 and 16, and insert in lieu thereof the following:

"1. In any proceeding before the commissioner as hereinafter provided, the insurance carrier shall be directly and primarily liable to any person entitled to recover damages from its assured."

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, strike out lines 21 and 22, and insert in lieu thereof the following:

"3. Jurisdiction of the commissioner or court as the case may be, of the assured shall, for the purposes of this act, be jurisdiction of the insurance carrier."

AMENDMENT NUMBER EIGHT.

On page 11 of the printed bill, between lines 11 and 12, insert the following:

"Sec. 23. Proceedings before commissioner.

(a) Actions to recover damages for injuries to persons or property resulting from motor vehicles may be brought in the courts of this state as if this act, except sections 3, 4, 5, 7, 11, 18, 27 and 28, had not been passed.

(b) As an alternative remedy, any person claiming such damages may, at his election, institute a proceeding against the person or persons responsible therefor before the commissioner provided by sections 29 of this act, provided the total amount claimed, including costs and attorneys fees, shall not exceed the amounts specified in section 3a of this act, and the commissioner shall have jurisdiction to hear and determine said claim in the manner herein provided. The insurance carrier shall be joined as a party in said proceeding and shall be entitled to notice thereof and opportunity to defend therein. The making of said claim before the commissioner shall constitute a waiver of right to jury or court trial by the claimant except as provided in section 25, and of any further claim against the person or persons insured by such policy of insurance and arising out of the accident upon which such suit is brought.

(c) If any person named as a defendant in such proceeding shall at the time of his first appearance demand the right of a trial in a court having jurisdiction thereof, the commissioner shall suspend further proceedings, and the period of limitations prescribed by the law of this state for bringing an action in court upon his claim is hereby extended thirty days from the date of such suspension. The costs of any proceeding brought in court after suspension of proceedings by the commissioner on demand of a defendant shall be paid by such defendant in advance and shall not be recoverable by him. If such trial by a court or jury be not demanded at the time of first appearance of such defendant, it shall be deemed to have been waived, except as provided by section 25.

(d) The term "judgment" as used in sections 3, 4, and 5 of this act include a decision of the commissioner as well as a judgment of the court.

SEC. 24. Procedure before the commissioner. In all proceedings before the commissioner the form and service or process, pleadings, rules and evidence and procedure, proceedings, decision, mode and time of rehearing and finality of decision, shall, as far as applicable and not inconsistent with the provisions of this act, be governed by the provisions of law governing proceedings before the industrial accident commission of this state.

The commissioner shall have the further power and authority to adopt and from time to time amend rules of practice and procedure not inconsistent with law, provided that any rule may be reviewed by the judicial council of this state upon complaint or upon its own motion and said judicial council may suspend or annul any rule deemed by it to be substantially unjust.

SEC. 25. Review of decisions of commissioner. Any party aggrieved by a final decision of the commissioner may within thirty days after its rendition, unless a rehearing shall have been granted by the commissioner, apply to the superior court of the county in which such proceeding was tried by the commissioner, or in which the decision was made, or in which the cause of action arose, for determination of the lawfulness of said decision. Said proceeding shall be in the nature of an injunction proceeding, mandatory or otherwise, and shall be heard summarily, upon reasonable notice to all parties. The commissioner, the division, and the parties affected by the decision shall be parties to said proceeding and have the right to be heard therein. If the court finds that said decision is not in accordance with law, it may suspend or set aside the decision and enjoin its enforcement and remand the proceeding, if necessary, to the commissioner for further proceedings. If it shall find the decision to be in accordance with law, it shall affirm the decision and enter the judgment of the court for and against the parties to the proceeding in accordance therewith.

SEC. 26. Enforcement of commissioner's decision. At any time within one year after a default in payment of an award or decision of the commissioner any person entitled to payments thereunder may apply to the superior court for the county in which such proceeding was tried, or was decided by the commissioner, or in which the defendant resides, for the enforcement of said decision. A citation shall be issued by the court and served upon all parties affected by the enforcement of said decision and notice of said application shall also be given to the commissioner and division. Upon the return day set forth in the citation, or a continuance thereof, the court shall hear the matter, and if it finds the decision to be in accordance with law, shall enter the judgment of the court against the party or parties obligated thereby in accordance therewith.

If, at the time said proceeding for enforcement of the decision is commenced, the time within which the party aggrieved by said decision may apply for a review thereof under section 12 shall have expired, and no review shall have been applied for the court may, in its discretion, refuse to consider any ground of attack upon the lawfulness of the decision upon procedural grounds or questions of fact, and limit its consideration to questions of law affecting the substantial rights of the parties.

SEC. 27. Enforcement of and appeal from judgments of superior court.

A judgment of the superior court entered upon a decision of the commissioner, or setting aside or refusing to enforce such decision, shall thereafter constitute a judgment of said court for all purposes. Execution and other proceedings after judgment may be had thereon, and appeal may be taken therefrom, as in other cases;

provided, that if the superior court shall affirm the findings of fact of the commissioner the appeal from the judgment of the court shall not include questions of fact and sufficiency of evidence, but shall be limited to questions of law affecting the substantial rights of the parties.

SEC. 28. Rules governing court actions. In any action in court any sums of money paid out of the insurance or security required by this act shall be credited to the defendant.

The amount of money paid or payable out of the insurance or security provided by this act shall not be admissible in evidence.

SEC. 29. Attorney's fees. In any proceeding before the commissioner or court to recover damages insured against in whole or in part under the provisions of this act, the claimant, if he shall prevail, shall be entitled to a reasonable attorney's fee to be fixed by the commissioner or court based upon the services performed by the attorney and the charges prevailing in the same community for similar legal services, and said fee shall be recoverable against the defendants in addition to the damages awarded.

SEC. 30. Commissioner of automobile damage claims. There is hereby created the office of commissioner of automobile damage claims, to be a department in the division of motor vehicles, and to exercise the jurisdiction conferred by section 23. The commissioner shall be appointed by the governor to serve for a term of four years and shall receive the same salary as that fixed by law for a superior judge of a county of the one and one-half class. Such salary, and the salaries of the assistants and employees in the office of the commissioner, and the expenses of his office, shall be paid out of the fund created by section 22 of this act.

The commissioner shall appoint, subject to the laws of this state respecting the civil service, such deputy commissioners and other assistants and stenographic and clerical help as he may deem requisite for the discharge of the duties imposed upon him by this act, and shall be allowed such office space, furnishings, supplies, equipment, and incidentals as may be needed; *provided*, that he shall from time to time submit a budget of the proposed expenditures of his office to the chief of the division who shall submit the same to the department of finance with his recommendation and no expenditures from the fund created by section 22 shall be lawful until approved by said chief and said department.

SEC. 31. Schedule of indemnities. The amount which a claimant suffering loss from personal injury or property damage may be awarded in proceedings before the commissioner shall be determined in accordance with the following schedule:

(a) Medical expense. The reasonable cost of such medical, surgical, hospital, nursing and other attendance or treatment, medicine, crutches and apparatus, including artificial members, as the nature of the injury or process of recovery may require for the relief of the injured person, and the estimated future expense thereof.

(b) Loss of wages. If disability is temporary, such loss of wages or income as the injured person may sustain, up to the date of the commissioner's decision, and the estimated future loss thereof.

(c) Specific indemnities for permanent disability. An amount proportionate to the permanent disablement sustained, to be fixed in accordance with a schedule to be prepared by the commissioner. The commissioner shall prepare and may from time to time amend, a schedule classifying permanent injuries according to their severity, due consideration being given to the age, occupation, diminution of future earning capacity, and cost of future support of the injured person within the limits prescribed by section 3a of this act.

(d) Death. The reasonable expense of burial not to exceed two hundred fifty dollars and a death benefit to be computed upon the scale of death benefits contained in the workmen's compensation, insurance and safety act of 1917, as amended or as hereafter amended.

(e) Property damage. The actual pecuniary loss sustained."

AMENDMENT NUMBER NINE.

On page 11, line 12, of the printed bill, strike out "23", and insert in lieu thereof the following: "32".

Bill ordered to print, and re-referred to Committee on Motor Vehicles.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 682—An act to amend section 374b of the Penal Code and to add a new section thereto to be numbered section 375, relating to the deposit of nauseous, offensive or injurious substances in places of public assemblage or the manufacture thereof with the intent so to deposit—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership: 7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Bill No. 682 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Sharkey to introduce a bill entitled—An act to amend sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, Williams, and Young—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Treacy to introduce a bill entitled—An act granting to the City and County of San Francisco lands known as "Channel" or "Channel street" southwesterly from the northeasterly line of Seventh street in said city and county; and authorizing said City and County of San Francisco to dispose of portions of said street, or otherwise deal with or improve said portion of said street as said city and county may deem proper; and repealing all acts in conflict therewith—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—31.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Maloney to introduce a bill entitled—An act to amend section 117 of the Political Code, relating to congressional districts—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley,

Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—32.
 NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bills were introduced:

By Senator Sharkey: Senate Bill No. 934—An act to amend sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts.

Bill read first time, and referred to Committee on Municipal Corporations.

By Senator Treacy: Senate Bill No. 935—An act granting to the City and County of San Francisco lands known as "Channel" or "Channel Street" southwesterly from the northeasterly line of Seventh Street in said city and county; and authorizing said City and County of San Francisco to dispose of portions of said street, or otherwise deal with or improve said portion of said street as said city and county may deem proper; and repealing all acts in conflict therewith.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Maloney: Senate Bill No. 936—An act to amend section 117 of the Political Code, relating to congressional districts.

Bill read first time, and referred to Committee on Reapportionment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, March 25, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 584—An act to amend sections 2, 4 and 6 of the Act Concerning Cosmetology—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to the Committee on Public Health and Quarantine.

Committee membership—11; committee vote: Ayes—10; absent—1.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendment to Senate Bill No. 584 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the printed matter and insert in lieu thereof the following:

"An act to amend sections 2, 3, 4, 5, 6, 7, 8, 10, 12, 12a, 14, 15, 16, 18, 19, 20, 21 and to add new sections numbered 24 and 25 to chapter 845, statutes 1927, "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the state board of cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occu-

pations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules and regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology; and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved by the governor, May 31, 1927.

The people of the State of California do enact as follows:

SECTION 1. Section 2 of chapter 845, statutes of 1927, entitled "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the state board of cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," to read as follows:

Sec. 2. (a) Wherever in this act the word "board" is used it shall be construed to mean the state board of cosmetology.

(b) The word "cosmetology," as used in this act, is defined as the following practices, namely: arranging, dressing, curling, waving, cleansing, cutting, singeing, bleaching, tinting, coloring, straightening, dyeing, brushing, beautifying, or otherwise treating by any means, the hair of any person.

Massaging, cleansing, or stimulating the scalp, face, neck, arms, bust, or upper part of the human body, by means of the hands, devices, apparatus or appliances, with or without the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

Beautifying the face, neck, arms, bust, or upper part of the human body, by use of cosmetic preparations, antiseptics, tonics, lotions or creams. Removing superfluous hair from the body of any person by the use of electrolysis, or by the use of depilatories or by the use of tweezers, chemicals, preparations, or by the use of devices or appliances of any kind or description, except by the use of light waves, commonly known as rays.

Cutting, trimming, polishing, tinting, coloring, cleansing, or manicuring the nails of any person.

(c) The words "hairdresser and cosmetician or cosmetologist" are defined as follows: a person who engages in the practice of cosmetology or in a majority of the branches thereof, except the branches of electrolysis or of manicuring as practiced in a barber shop.

(d) The word "electrolysis" is defined as follows: a person who removes or destroys hair on the human body by the use of an electric needle only.

(e) The word "manicurist" is defined as follows: a person who engages only in the occupation of cutting, trimming, polishing, coloring, tinting, cleansing or manicuring the nails of any person.

(f) The words "cosmetological establishment" are defined as follows: any premises, building, or part of a building, whereon or wherein any branch or any combination of branches of cosmetology, or the occupation of a hairdresser and cosmetician or cosmetologist, except the branch of manicuring as practiced in barber shops, are practiced.

(g) The words "junior operator" are defined as follows: any person who is engaged in learning or acquiring a knowledge of the occupations of a hairdresser and cosmetician, or cosmetologist, in a licensed cosmetological establishment, under a licensed hairdresser and cosmetician or cosmetologist.

(h) The words "junior manicurist" are defined as follows: any person who is engaged in learning or acquiring a knowledge of the practice of manicuring in a licensed cosmetological establishment under a licensed hairdresser and cosmetician or cosmetologist.

(i) The words "junior manicurist" are defined as follows: any person who is engaged in learning or acquiring a knowledge of the practice of manicuring in a licensed cosmetological establishment under a licensed hairdresser and cosmetician or cosmetologist, or a licensed manicurist.

(j) The words "junior electrologist" are defined as follows: any person who is engaged in learning or acquiring a knowledge of the practice of electrolysis in a licensed cosmetological establishment under a licensed electrologist.

(k) The words "junior permanent waver" are defined as follows: any person who is engaged in learning or acquiring a knowledge of the practice of permanent waving in a licensed cosmetological establishment under a licensed hairdresser and cosmetician or cosmetologist, or a licensed permanent waver.

SEC. 2. Section 3 of an act known as "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 3. On and after the first day of October, 1927, every person, firm, or corporation who shall conduct or operate a cosmetological establishment, school of cosmetology, hairdressing shop, beauty parlor, or any other place of business in which any one or any combination of the occupations of a hairdresser and cosmetician, or cosmetologist, are taught or practiced, except the branch of manicuring as

practiced in a barber shop, and every person who shall engage in, or attempt to engage in, the practice of cosmetology, or any branch or branches thereof, without a license therefor, issued as herein provided, by the state board of cosmetology, shall be guilty of a misdemeanor punishable by a fine of not less than twenty-five dollars (\$25) nor more than two hundred dollars (\$200), or by imprisonment for a term of not less than fifty days or not more than one hundred eighty (180) days, or by both such fine and imprisonment; *provided, however*, that nothing in this act shall be construed to prohibit any junior operator from engaging in any one or any combination of the occupations of a hairdresser and cosmetician, or cosmetologist, under the immediate supervision of a licensed hairdresser and cosmetician, or cosmetologist, in a licensed cosmetological establishment, nor to prohibit any junior manicurist from engaging in the practice of manicuring in a licensed cosmetological establishment under a licensed cosmetologist or a licensed manicurist; nor to prohibit any student in any school of cosmetology, legally established under the provisions of this act, from engaging in said school and as such student, in work connected with any branch or any combination of branches of cosmetology taught in said school; *provided*, that nothing in this act shall be construed to prohibit any junior electrologist from engaging in the occupation of an electrologist under the immediate supervision of a licensed electrologist; *provided, further, however*, that nothing in this act shall be construed to prohibit any junior permanent waver from engaging in the occupation as a permanent waver under the immediate supervision of a licensed permanent waver in a licensed cosmetological establishment.

SEC. 3. Section 4 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

SEC. 4. There is hereby created the state board of cosmetology, to consist of five members. Within thirty days after this act becomes effective, the governor shall appoint, as members of said board, persons who are at least twenty-five years of age, who shall have been citizens of this state for at least three years immediately prior to their appointment, and who are not ineligible as in this section provided.

The governor shall have the power to remove from office at any time, any member of the board for continued neglect of duties required by this act, or for incompetency, unprofessional or dishonorable conduct.

No person shall be eligible to appointment as one of the first five members constituting said board (a) who has not been engaged in actual practice, as a hairdresser and cosmetician, for at least five years; (b) who is connected, directly or indirectly, with any school of cosmetology, (c) or who is connected, directly or indirectly, or who was so connected within one year prior to his appointment, in the business of the manufacture or wholesale, rental, sale, or distribution of cosmetological appliances or supplies.

In the matter of the appointment of succeeding members of the board, no person shall be eligible to appointment as a member (a) who is not registered as a hairdresser and cosmetician or cosmetologist under the provisions of this act; (b) who is connected directly, or indirectly, with any school of cosmetology, or was so connected while previously serving as a member of said board; (c) who is not, at the time of appointment, either actually engaged in conducting a cosmetological establishment, or actually engaged in a branch of cosmetology; (d) who is not of good moral character.

The personnel of the board shall, at all times, be so constituted that two graduates of the same school of cosmetology shall not be members at the same time.

The terms of office of the members of the board first appointed shall be as follows: two of the members shall serve for two years, two for three years, and one for four years; upon the expiration of such terms, respectively, the succeeding members shall be appointed by and serve at the pleasure of the governor. In case of vacancy occurring in the board, the governor shall fill the same by appointing a member to fill such vacancy. Before entering upon the discharge of their duties each member shall make, and file with the secretary of state, the constitutional oath of office.

Each member of the board shall receive as compensation for his services, the sum of ten dollars (\$10) for each day's actual attendance of the meetings of the board, and each member shall be reimbursed for his traveling expenses necessarily incurred in the performance of his duties hereunder; *provided*, that no member shall be entitled to more than seventy-five days in any one fiscal year. All such compensation and necessary traveling expenses shall be paid by the board out of the funds received by it, and no part thereof shall be paid by the state.

The members of the board shall, annually, elect from their number, a president, and shall, annually, appoint a secretary, subject to the approval of the director of the department of professional and vocational standards, who shall not be a member of the board. The compensation of the secretary shall be fixed by the board, subject to the approval of the director of the department of professional and vocational standards, and shall be paid out of the funds received by it, and no part of such compensation shall be paid by the state.

The board shall prescribe the duties of its officers and employees, subject to the approval of the director of the department of professional and vocational standards, and the compensation shall be fixed by said director and the board, subject to the

approval of said director shall establish a principal office and branch offices at such places in the state as may be deemed necessary, at which principal office all records and files of the board shall be kept; which records and files shall, at all reasonable hours, be open to public inspection. The board shall also adopt a seal.

The director of the department of professional and vocational standards is authorized, whenever in his judgment it is deemed necessary, to employ inspectors, investigators, assistants, deputies and clerks, which shall be exempt from the provisions of the civil service law, and to secure legal services; *provided, however*, that the compensation of such inspectors, investigators, assistants, deputies and clerks, and for legal services, and all reasonable expenses incurred by the board, shall be paid out of the funds received by the board and no part of such compensation or expenses shall be paid by the state.

It shall be the duty of the board to adopt reasonable rules for carrying out the provisions of this act, for conducting examinations of applicants for registration, and for governing the recognition of, and the credits to be given to, the study of cosmetology, or any branch thereof, under a hairdresser and cosmetician, or cosmetologist, or in a school of cosmetology, licensed under the laws of another state or territory of the United States, or the District of Columbia, and to adopt such sanitary rules as it may deem necessary with particular reference to the precautions to be employed to prevent the creating or spreading of infections or contagious disease in cosmetological establishments, or schools of cosmetology, or in the practice of a hairdresser and cosmetician, or cosmetologist, and in the practice of any branch or branches of cosmetology; but no sanitary rule thus adopted shall have any force or effect unless and until the same has been approved by the state board of health. A copy of all sanitary rules, thus adopted and approved, shall be furnished to each person, firm or corporation to whom a certificate of registration and license is issued for the conduct of a cosmetological establishment, school of cosmetology, or for the practice of the occupation of a hairdresser and cosmetician, or cosmetologist, or for the practice of any branch or branches of cosmetology.

It shall be the duty of the board to hold examinations, as to their qualifications, of all applicants for registration, (except as herein otherwise provided), whose applications have been submitted to it in proper form; to issue certificates of registration and licenses to such applicants as may be entitled thereto; to register cosmetological establishments, and schools of cosmetology; to report to the proper prosecuting officer all violations of this act coming within its knowledge; to make a written report, annually, to the governor, concerning the condition, in this state, of cosmetology, and the branches thereof; which report shall also contain a brief reference to the proceedings had by or before the board in carrying out the provisions of this act, for the year last past, and statement of all moneys received and expended by the board during such year.

The board shall keep a record of registration, containing the name and known places of business, and the date and number of certificate of registration, of every registered hairdresser and cosmetician, or cosmetologist, and those engaged in the practice of any branch of cosmetology, together with the names and addresses of all cosmetological establishments, and schools of cosmetology, registered under this act; which record shall also contain a specification of such facts as applicants for registration may claim, in their registration.

The board shall also keep a record of its proceedings, and it shall do all other things necessary to carry out the provisions of this act.

SEC. 4. Section 5 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 5. The board shall hold meetings for the examination of applicants for registration at least four times a year; one of which meetings shall be held in the city and county of San Francisco, one in the city of Sacramento, one in the city of Los Angeles, and one in the city of San Diego; and the board may hold such other meetings, with the approval of the director of the department of professional and vocational standards for the examination of applicants for registration, or for the transaction of such business as may be necessary.

SEC. 5. Section 6 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 6. On and after the first day of October, 1927, the board shall admit to examination for a certificate of registration as a registered hairdresser and cosmetician, at any meeting of the board duly held for the purpose of conducting examinations, any person who shall have made application to the board in proper form, and paid the required fee, as provided in this act, and who shall be qualified as follows: (a) who is not less than eighteen years of age; (b) who is of good moral character and temperate habits; (c) who shall have had an education equivalent to the completion of the eighth grade in the public schools of this state; (d) who has been actually engaged in the practice of the occupations of a hairdresser and cosmetician for a period of one year prior to the date of application, or (e) who has had training of at least one thousand hours, extending over a school term of six months, in a school of cosmetology approved by the board, or (f) who has served at least one year as a junior operator in a cosmetological establishment in which a majority of the occupations of a hairdresser and cosmetician are practiced; *provided, however*, that on and

after the first day of October, 1928, no person shall be admitted to examination for a certificate of registration as a hairdresser and cosmetician, or cosmetologist, (a) who has not been actually engaged in the practice of the occupations of a hairdresser and cosmetician, or cosmetologist, for a period of two years, or, (b) who has not had training in a licensed school of cosmetology as outlined in paragraph (c) of this section, or, (c) who has served less than two years as a licensed junior operator in a licensed cosmetological establishment in which a majority of the occupations of a hairdresser and cosmetician, or cosmetologist, are practiced.

On and after the first day of October, 1927, any applicant for admission to examination as an electrologist, who shall have made application to the board, in proper form, and paid the required fee, as provided in this act, and who is not less than eighteen years of age, and is of good moral character and temperate habits, and who shall have completed the eighth grade in the public schools of this state or its equivalent, and who shall have had a practical training of five hundred hours, extending over a period of four consecutive months, under the immediate supervision of a licensed electrologist, in a licensed school in which such practice is taught, or who shall have studied such practice as a licensed junior electrologist for a period of six consecutive months, in a licensed cosmetological establishment, under an electrologist licensed under this act, or who was actually engaged in the practice of electrology, for a period of one year, shall be admitted to examination for the practice of electrolysis.

On and after the first day of October, 1927, any applicant for admission to examination as a manicurist, who shall have made application to the board in proper form, and paid the required fee, as provided in this act, and who is not less than eighteen years of age, and is of good moral character and temperate habits, and who shall have completed the eighth grade in the public schools of this state or its equivalent, and who shall have had a practical training of at least one hundred fifty hours, extending over a period of two consecutive months, under the immediate supervision of a licensed hairdresser and cosmetician, or cosmetologist, or a licensed manicurist, in a licensed school in which such practice is taught; or who shall have studied such practice as a licensed junior manicurist, for a period of three consecutive months, in a licensed cosmetological establishment, under a manicurist licensed under this act or a hairdresser and cosmetician, or cosmetologist, so licensed; or who was actually engaged in the practice of manicuring, for a period of one year; shall be admitted to examination for the practice of manicuring.

On and after the first day of October, 1927, any applicant for admission to examination as a permanent waver, who shall have made application to the board, in the proper form, and paid the required fee, as provided in this act, and who is not less than eighteen years of age, and is of good moral character and temperate habits, and who shall have had a practical training of at least three hundred hours, extending over a period of three consecutive months, under the immediate supervision of a licensed hairdresser and cosmetician, or cosmetologist, or a licensed permanent waver, in a licensed school in which such practice is taught, or who shall have studied such practice as a licensed junior permanent waver, for a period of six consecutive months, in a licensed cosmetological establishment, under a permanent waver licensed under this act, or a hairdresser and cosmetician, or cosmetologist, so licensed; or who was actually engaged in the practice of permanent waving, for a period of one year; shall be admitted to examination for the practice of permanent waving.

Sec. 6. Section 7 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 7. Every application for admission to examination, and every application for license as a hairdresser and cosmetician, or cosmetologist, or in any branch of cosmetology, shall be in writing, on blanks prepared and furnished by the board. Each application shall be accompanied by the required fee, and shall contain proof of the qualifications of the applicant for examination, or license as provided herein, and shall be verified by the oath of the applicant, and shall also be accompanied by two photographs of the applicant, taken within thirty days prior to date of application, size of photograph to be five inches (5 in.) by three inches (3 in.).

Sec. 7. Section 8 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 8. The examination of applicants for license in any of the branches or practices of cosmetology shall include both a practical demonstration and a written or oral test, and shall embrace the subjects concerning the particular branch or branches, practice or practices for which a certificate for license is applied; shall not be confined to any special system or method; shall be consistent in both practical and technical requirements, and of sufficient thoroughness to satisfy the board as to the applicant's skill in, and knowledge of, the practice of the occupation or occupations for which a license is sought. In the conduct of examinations, practical demonstrations shall prevail over written tests, *e.g.*, a greater number of credits to be allowed on practical demonstrations than on written tests.

Examinations for certificates of registration and license as hairdressers and cosmeticians, or cosmetologists, shall include practical demonstrations in shampooing the hair, hairdressing, marcel waving, water waving, hair coloring, manicuring, facial massage, and scalp massage, with the hands; written or oral tests in antiseptics sterilization, sanitation, and the use of mechanical apparatus, and electricity as

applicable to the practice of the occupations of a hairdresser and cosmetician, or cosmetologists, and may include such other demonstrations and tests, as the board, in its discretion may require.

Examinations for license for the practice of permanent waving shall be by practical demonstration, written and oral tests.

The scope of examinations in any other branch of cosmetology shall be such as the board, in its discretion, may require.

SEC. 8. Section 9 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

SEC. 9. Every applicant who shall pass a satisfactory examination, conducted by the board to determine his or her fitness in the practice of the occupations of a hairdresser and cosmetician, or cosmetologist, shall receive from the board a certificate of registration and license as a hairdresser and cosmetician, or cosmetologist, which license shall entitle the holder thereof, without additional cost, to engage in the practice of the occupations of a hairdresser and cosmetician, or cosmetologist, up to and including the thirtieth day of September following the date of issue.

Every applicant for registration to engage in the practice of permanent waving, in electrolysis, or manicuring, who shall pass a satisfactory examination, conducted by the board to determine his or her fitness in the practice of permanent waving, electrolysis, or manicuring, shall receive from the board a certificate of registration and license to engage in the practice of permanent waving, or as an electrologist, or manicurist, as the case may be, in like manner for a like period.

Every certificate of registration, and every license, issued by the board shall specify the occupation or occupations which said certificates and license entitled the holder thereof to practice.

SEC. 9. Section 10 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

SEC. 10. Every license, issued by the board shall be signed by the president, and attested by the secretary and shall bear the impress of the board's seal.

SEC. 10. Section 12 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

SEC. 12. Upon application to the board in due form, as provided in section 7 hereof, accompanied by the required fee, a person registered as a hairdresser and cosmetician, or cosmetologist, or in any branch of cosmetology, under the laws of another state or territory of the United States, or of the District of Columbia, shall, without examination, (unless the board, in its discretion, sees fit to require examination), be granted a certificate of registration and license to practice the occupation or occupations in which such person was so previously registered, upon the following conditions: That the applicant is not less than eighteen years of age, of good moral character and temperate habits, and that the requirements for registration or licensing of hairdressers and cosmeticians, or cosmetologists, and those engaged in the practice of any branch of cosmetology, in the particular state, territory, or in the District of Columbia, where, at the date of such previous registration or licensing, substantially equal to the requirements therefor then in force in this state.

SEC. 11. Section 12a of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

SEC. 12a. Any person licensed under the "Act concerning cosmetology" as amended, who shall use any X-ray appliance, apparatus or machine in the treatment of any human being or for the purpose of or with the intent to remove superfluous hair from the face or body of any human being, or any one licensed hereunder who applies to any human being a solution of phenol greater than ten per cent, or corrosive sublimate (mercury) or any of its preparations, derivatives, or compounds in a solution greater than one in five hundred shall be guilty of a misdemeanor and on conviction thereof shall be punished by a fine of not less than twenty-five dollars (\$25), or more than two hundred fifty dollars (\$250), or by imprisonment in the county jail for a term of not less than fifty (50) days or not more than one hundred eighty (180) days, or by both such fine and imprisonment.

SEC. 12. Section 14 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

SEC. 14. Every licensed hairdresser and cosmetician, or cosmetologist, every licensed electrologist, or every licensed manicurist, and every permanent waver who continues in actual practice, shall, annually, on the first day of October, have his or her license renewed by the board, upon payment of his required renewal fee. Applications for renewal for licenses may be made to the board at any time during the month of September.

The annual renewal fee for each license shall be two dollars; and every license which has not been renewed on the first day of October in each year shall expire on said last mentioned date, and if not so paid on or before said date, a delinquency fee of two dollars shall be added for renewal.

A licensed hairdresser and cosmetician, or cosmetologist, electrologist, manicurist, or permanent waver, whose license has expired, may have the same renewed, only, upon payment of the renewal fee together with a delinquency fee of two dollars provided for in this section. Any registered hairdresser and cosmetician, or cosmetologist, electrologist, manicurist, or permanent waver, who retires from prac-

tice for more than one year, may have his or her license restored, only, upon payment of all lapsed renewal and delinquency fees; *provided, however*, that no hairdresser and cosmetician, or cosmetologist, electrologist, manicurist, or permanent waver, who has retired from practice for more than three years, may have his or her license restored, without examination, unless the board, in its discretion, sees fit to examine such applicant.

SEC. 13. Section 15 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 15. Such board may, in its discretion, issue a temporary license, upon evidence that the applicant therefor has the necessary qualifications to engage in the practice of the occupation or occupations for which a temporary license is sought; such temporary license shall remain in force thirty days after the next regular meeting of the board immediately thereafter at which examinations are held, and no longer. Two such temporary certificates may not be issued to the same person. Upon each temporary certificate shall appear the date of expiration, and after said date said certificate shall be void.

SEC. 14. Section 16 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 16. Nothing in this act shall be construed to prohibit service contemplated by this act in cases of emergency or domestic administration, without compensation; and the following persons shall be exempted from the provisions hereof, namely: (a) All persons authorized by the laws of this state to practice medicine, surgery, dentistry, osteopathy, chiropractic, naturopathy or chiropody; (b) commissioned surgical and medical officers of the United States army, navy, or marine hospital service when engaged in the actual performance of their official duties, and attendants attached to same; (c) barbers, in so far as their usual and ordinary vocation and profession is concerned.

SEC. 15. Section 18 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 18. Cosmetological establishments, other than those referred to in section 17 thereof, may be operated as follows. Any person, firm, or corporation, desiring to operate a cosmetological establishment shall make application to the board for a certificate of registration and license so to do, said application to be accompanied by the annual registration fee of one dollar. Said cosmetological establishment shall, at all times, be in charge of and under the immediate supervision of a licensed hairdresser and cosmetician or cosmetologist.

Schools of cosmetology, other than those referred to in section 17 hereof, may be conducted as follows: Any person, firm, or corporation desiring to conduct a school of cosmetology, shall make application to the board for a certificate of registration and license so to do, said application to be accompanied by the annual registration fee of one hundred twenty five dollars; *provided, however*, that when said application is made between the first day of October and the thirtieth day of September following, there shall be paid to said board of cosmetology that portion of the registration fee specified in this section which the unexpired number of months in such year bears to the entire year including the month in which said application is made and in such cases said board of cosmetology shall issue a license for such fractional part of said year; *provided, farther*, that nothing in this section contained shall be construed as authorization or permission to conduct a school of cosmetology without a valid, existing, and unexpired certificate of registration. Every school maintained by the state, county, city and county, or city, teaching cosmetology without compensation, shall make application to the board of cosmetology for certificate of registration and shall be exempt from payment of a fee for certificate of registration to conduct such school. Each and every school shall, at all times, be in charge of, and under the immediate supervision of a licensed hairdresser and cosmetician or cosmetologist, who has had at least three years practical experience in the practice of a majority of the branches of cosmetology in an established place of business, and shall fulfill the following requirements: (a) it shall maintain a school term of not less than one thousand hours, extending over a period of not less than six consecutive months, and shall maintain a course of practical training and technical instruction, equal to the requirements for examination for a certificate of registration and license as a hairdresser and cosmetician or cosmetologist as set forth in section 8 hereof; and so arrange the courses devoted to each branch or practice of cosmetology as the board may from time to time adopt as the course to be followed by said schools; (b) it shall possess sufficient apparatus and equipment necessary for the ready and full teaching of all the subjects or practices of cosmetology; (c) it shall attach to its staff of instructors a regularly licensed physician, and shall maintain licensed hairdressers and cosmeticians or cosmetologists competent to impart instruction in all the branches or practices of cosmetology; (d) it shall keep a daily record of the attendance of each student, and the time devoted by each student to the various practices or branches of cosmetology; (e) it shall establish grades, and hold examinations before issuing diplomas.

Every cosmetological establishment exacting a fee for the teaching of any branch of cosmetology shall be classed as a school of cosmetology within the meaning of

this section and shall be required to comply with all of its provisions. Certificates of registration for cosmetological establishments and schools of cosmetology shall be renewed and the registration fees herein provided for shall be due and payable to said board during the month of September of each and every year. If such certificates of registration be not so renewed and said fees be not so paid on or before the thirtieth day of September of each year, said certificate shall expire on said last mentioned date and may thereafter be renewed only upon the payment of a delinquency fee as provided for in section 14 of this act.

The failure, neglect, or refusal of any person who was a regularly licensed cosmetologist to pay in advance said annual license fee of one dollar during the time his or her license remains in force shall ipso facto work a forfeiture of his or her license, and it shall not be restored except upon written application therefor and the payment to said board of one dollar, except that such person shall not be required to submit to any examination.

The certificate of registration or license herein provided for authorizes the school of cosmetology holding the same to transact operations in this state during the year or fraction thereof for which such license is issued, subject to the rules and regulations of the board. "Year" within the meaning of this act means from and including the first day of October to and including the thirtieth day of September next thereafter.

SEC. 16. Section 19 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 19. Every holder of a license issued by the board to operate a school of cosmetology, or cosmetological establishment, or to practice the occupations of a hairdresser and cosmetician, or cosmetologist, or any branch of cosmetology, or a license to engage as a junior operator, shall display said license in a conspicuous place in the principal office, place of business, or place of employment of said holder.

Every registered hairdresser and cosmetician, or cosmetologist, electrologist, manicurist, and permanent waver, shall, within thirty days after changing the address of his or her place of business, as designated on the books of the board, notify the secretary thereof of his or her new place of business, and upon receipt of said notification, the secretary shall make the necessary changes in the register.

A duplicate license shall be issued upon the filing of a statement covering the loss of license, verified by the oath of the applicant. A fee of one dollar will be charged for the issuance of such duplicate license. Each duplicate license shall have the word "duplicate" stamped across the face thereof, and will bear the same date and show the number of the original license.

SEC. 17. Section 20 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 20. No person having charge of a cosmetological establishment, or school of cosmetology, whether as an owner or an employee, shall permit to be used for sleeping or residential purposes any room or part thereof, wherein any of the branches or practices of cosmetology are conducted, or practiced, or taught, or to be used for any other purpose that would tend to make the room unsanitary. Such cosmetological establishment shall have a direct entrance thereto, separate and distinct from any entrance in connection with private quarters. Violations of the provisions of this section shall constitute a misdemeanor, punishable as provided in section 3 hereof.

SEC. 18. Section 21 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 21. The board shall not renew, or may revoke, or suspend at any time any license as required by the provisions of section 3 hereof in any of the following cases: (a) Failure of a person, firm or corporation operating a cosmetological establishment to comply with the requirements of this act; (b) failure to comply with the sanitary rules, adopted by the board and approved by the state board of health, for the regulation of cosmetological establishments, schools of cosmetology, or the practice of the occupations of a hairdresser and cosmetician, or cosmetologist; (c) obtaining practice in cosmetology, or any branch thereof, or money, or any other thing of value, by fraudulent misrepresentation; (d) gross malpractice; (e) continued practice by a person knowingly having an infectious or contagious disease; (f) habitual drunkenness, or habitual addiction to the use of morphine or any habit forming drug; (g) advertisement by means of knowingly false or deceptive statements; (h) permitting a certificate of registration or license to be used where the holder thereof is not personally, actively and continuously engaged in business; (i) failure to display the license, as provided in section 19 of this act; (j) or for any other unfair or unjust practice, method or dealing which the judgment of the board may justify such action: *provided, however*, that the said board shall not refuse to issue or renew any license as required by the provisions of section 3 hereof, or to revoke or suspend any such license already issued, except upon twenty days' notice in writing to the interested parties, which notice shall contain a brief statement of the reasons for the contemplated action of the board and designate a proper time and place for the hearing of all interested parties before any final action is taken as hereinabove provided: *provided, however*, that due notice within the provisions of this section shall be deemed to have been given when the board

shall have placed in a United States post office a copy of the notice as hereinabove provided, addressed to the designated or last known residence of the person applying for such license or to whom such license has already been issued; *provided, further*, that any such person, firm, or corporation, whose license to do business as herein provided is revoked or suspended, or who is refused a license, or any renewal of a license already issued, or any such practitioner whose license is revoked or suspended or who is refused a license, or a renewal of a license already issued may commence an action in a court of competent jurisdiction against the state board of cosmetology for the purpose of cancelling or obtaining other relief from the act of the said board. All the provisions of the Code of Civil Procedure relating to the pleadings, proof, trials and appeals shall be applicable to such action.

Proceedings for the revocation of licenses shall be begun by filing with the secretary of the board written charges against the accused, such charges shall be in detail, and sworn to under oath by the complainant. The accused shall have the right to appear personally or by counsel, to cross examine witnesses or to produce witnesses in his own defense. The board shall have the power to compel the attendance of witnesses and the production of necessary papers and documents.

The board may, for good cause shown, reissue a license to any person whose license has been revoked; *provided*, a majority of the members of the board vote in favor of such reissuance for reasons the board may deem sufficient, and under such conditions as the board may impose.

SEC. 19. A new section to be known as section 24 is added to an act known as the "Act concerning cosmetology," approved May 31, 1927, to read as follows:

SEC. 24. It shall be unlawful for any person to employ, or to allow to be employed in or about a cosmetological establishment as a hairdresser and cosmetician or cosmetologist; or as a permanent waver; or as an electrologist; or as a manicurist, any person not duly registered or licensed by the state board of cosmetology.

Any person violating the provisions of this section shall be guilty of a misdemeanor and punishable as such."

Bill ordered to print, and re-referred to Committee on Public Health and Quarantine.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 368—An act to add a new section to the Political Code to be numbered 3817a, relating to the extension of the period of redemption of property sold for taxes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that same do pass as amended.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

Senate Bill No. 368 ordered on file for second reading.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 530—An act concerning the Ehrenburg bridge across the Colorado River.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out the period at the end of the title of the printed bill, as amended in the Senate March 19, 1931, substitute a comma therefor, and thereafter insert the following: "declaring the urgency thereof, and providing that this act shall take effect immediately."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, after line 13, of the printed bill, as amended in the Senate March 19, 1931, insert the following:

"SEC. 2. That portion of said bridge within the State of California when thrown open to the public as a free bridge according to the terms of said contract and agreement shall immediately become a part of the secondary state highway system.

SEC. 3. This act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the constitution of the State of California, and it is

deemed necessary for the immediate preservation of the public peace, health, and safety, that this law shall go into immediate effect. The following is a statement of facts constituting such urgency: The Sunkist trail now designated as the Pacific coast link of United States sixty transcontinental highway running from the Atlantic coast to the Pacific coast is one of the main highway entrances into California, but has been in a long neglected and dangerous state due to lack of funds. The federal government offers to release the sum of eight hundred thousand dollars of federal aid road moneys to make said highway safe and satisfactory only upon the condition that said bridge now a privately owned toll bridge, be made a publicly owned free bridge forthwith; that the state of Arizona has already enacted into law an urgency measure in similar terms and this act is essential to immediately consummate the transaction; that the release of the federal aid road improvement funds will furnish work for a large number of persons thereby relieving the prevailing unemployment situation and further promoting public peace, health, and safety."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 367—An act to amend section 37a of chapter 25, Statutes of 1911, entitled the "Reclamation Board Act," approved December 24, 1911, as amended, relating to the application of moneys released, reimbursed, or appropriated under and pursuant to chapter 176, California Statutes of 1925, and the war department appropriations act of congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, after the comma following the figure "1919", insert a closing parenthesis.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, commencing in line 29 thereof, strike out the following: "disbursed and applied for the following uses and purposes", and insert in lieu thereof the following: "set aside, disbursed and applied by the reclamation board for the uses and purposes hereinafter set forth in such amounts as said board may from time to time determine and declare, as follows:".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2 of the printed bill, commencing in line 33 thereof, strike out the following: "in such amounts as the reclamation board shall determine,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, commencing in line 9 thereof, strike out the following: "With the balance of said money appropriated, reappropriated or provided," and insert in lieu thereof the following: "The reclamation board may from time to time set aside for the uses and purposes hereinafter in this subdivision (3) set forth such portion, or portions, of the moneys of said fund as shall not theretofore have been set aside for the uses and purposes in subdivisions (1) and (2) of this section provided, and".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 45, of the printed bill, after the period following the word "thereof", insert a new paragraph as follows:

"The use of moneys heretofore, or hereafter to be, appropriated or made available by the State of California to further carry out the legislation contained in chapter 17 of California statutes of 1925 shall not be restricted to the uses and purposes hereinabove in subdivision (3) set forth, but such money, or any part thereof, may be set

aside, applied and disbursed for any and all of the purposes in subdivisions (1), (2) and/or (3) of this section provided and in the manner and to the extent as hereinabove set forth."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 371—An act to amend sections 2 and 173 of chapter 774, Statutes of 1927, entitled "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, relating to the maintenance and operation of certain flood control project works and to the payment of assessments.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, after the word "six", insert the word "years".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 557—An act to amend subdivision (a) of section 64 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that each party to a proceeding shall have the separate right to petition for a rehearing.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 2, of the printed bill, after the word "for", strike out the word "a", and insert the word "one".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 312—An act to amend the California Irrigation District Act by amending sections 35, 37, 38, 41, and 78 thereof, relating to assessments and exclusion of land.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 382—An act to amend section 31 of chapter 89, Statutes of 1897, the California Irrigation District Act, by amending section 31 thereof, relating to the issuance of bonds.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 48—An act to add a new section to the Political Code, to be numbered 3475, relating to the effect of sales of land for delinquent assessments, where the land is also situated in one or more districts or public corporations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, after the word "drainage", insert a comma and the following: "water storage, county water, water conservation".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 5, of the printed bill, after the word "drainage", insert a comma and the following: "water storage, county water, water conservation".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 272—An act to add a new section to be numbered 18a, chapter 25, Statutes of 1911, extra session, entitled the "Reclamation Board Act," relating to claims of parties against the Sacramento and San Joaquin Drainage District for moneys advanced for work on the flood control project.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On line 6, page 1, of the printed bill, strike out the word "heretofore", and insert in lieu thereof the following: "since February 28, 1928,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On line 10, page 1, of the printed bill, strike out the following: "now or hereafter to be adopted", and insert in lieu thereof the following: "as in effect February 28, 1928, or as said plan may be hereafter amended".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 273—An act to add a new section to the Political Code of the State of California to be numbered 3476a, relating to the cancellation by the trustees of assessments or portions of assessments levied by reclamation districts on the lands within said districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out the words "the trustees", and insert in lieu thereof the words "boards of supervisors".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 5, 6 and 7, of the printed bill, strike out the following: "(including assessments which have been bonded pursuant to the provisions of section 3480 of this code, but which said bonds remain in whole or in part unsold)".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, lines 19, 20, 21 and 22, of the printed bill, strike out the following: "(and in the event there are unsold bonds as aforesaid, said board may order the cancellation of a corresponding amount in bonds specifying them)".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2 of the printed bill, strike out lines 5, 6, 7, 8 and 9.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 5, of the printed bill, insert the following: "*Provided, however,* that if and when the owner of land in any reclamation district, in which the board of supervisors may have cancelled any total assessment or a portion thereof, shall have theretofore paid the whole of such assessment levied against his land the board of trustees of said district shall issue a warrant of the district in favor of such land owner in an amount equal to that portion of his total assessment which was assessed against his lands for any particular or specified purpose or project so paid by said landowner, together with legal interest on said amount so paid by said landowner from date of such payment to date of said warrant, if the said assessment has been cancelled in full; or if said assessment shall have been cancelled in part only, then said board of trustees shall issue a warrant in favor of said landowner in an amount which bears the same proportion to said landowner's total assessment for such particular or specified purpose or project as the portion of the assessment for said particular or specified purpose or project so cancelled in part bears to said total assessment, together with legal interest on said amount so paid by said landowner from date of such payment to date of said warrant. Any such warrant so issued shall be payable out of the general fund of said district."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1, line 15, of the printed bill, after word "levied", insert the following: "and whenever it shall also appear to the trustees of said district that the said assessment or some part thereof is greater than required to meet all obligations incurred or to be incurred for the purposes for which such assessment or part thereof was levied".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 1, of the printed bill, after the word "roll" insert the following: "Upon filing said request with the said board of supervisors the said board of supervisors shall thereupon appoint a time when it will meet for the purpose of hearing objections, if any, to said request; said objections if any, must be in writing, verified and filed with the clerk of said board of supervisors. Notice of the said hearing shall be given in the same manner and for the same time as notice of hearing objections to an original assessment. At said hearing the board of supervisors shall hear such evidence as may be offered in support of said written objections and may approve, reject, modify or amend said request in any particular. No objections to granting said request shall be considered by the board of supervisors or allowed in any other action or proceeding unless said objections shall have been made in writing to the board of supervisors within thirty (30) days after the first publication of the notice of hearing objections, if any, to granting said request. Upon the making of an order approving, rejecting, modifying or amending said request a certified copy of said order shall be attached to said assessment roll by the county treasurer in whose office said assessment roll is on file."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 1, line 16, of the printed bill, after the word "minutes" insert the following: "request the board of supervisors of the county where the greater portion of said reclamation district is situated to".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line between lines 9 and 10, of the printed bill, insert: "The provisions of this act shall not apply to any assessment or part of an assessment for which any

bonds have been issued and sold, in accordance with the provisions of section 3480 of the Political Code."

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 2, of the printed bill, amend by striking out "directors", and inserting in lieu thereof "trustees".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 274—An act to amend the Political Code by amending sections 3454, 3457, 3465, 3466, and 3466½ as enacted by chapter 374, Statutes of 1921; 3468, 3480 and 3480a, relating to reclamation districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 10 of the title of the printed bill, as amended in Senate March 17, 1931, strike out the following: "without standing", and insert in lieu thereof "with out-standing".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, as amended in Senate March 17, 1931, commencing in line 24 thereof, strike out the following: "within thirty days after the first publication of notice of hearing objections, if any, to said assessment valuations", and insert in lieu thereof the following: "before the date of such hearing".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 5, line 18, of the printed bill, as amended in Senate March 17, 1931, after the word "for", insert the following: "two times to wit:".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5, line 33, of the printed bill, as amended in Senate March 17, 1931, strike out the word "two", and insert in lieu thereof the following: "two times, to wit: once a week for two successive".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 183—An act to add a new section to the Civil Code to be numbered 356a, relating to the employment of attorneys by corporations and the practice of law by corporations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, after the word "practice", insert the word "law".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "person", insert the words "or corporation".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 8, of the printed bill, strike out the word "not".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 14, of the printed bill, after the word "party", strike out the period and insert in lieu thereof a comma and the following: "*and provided, further,* that any corporation which shall employ an attorney in regard to its own business shall not participate in or profit from any charge made or fee collected for the legal services of said attorney beyond or to a greater extent than the amount actually paid by said corporation to the said attorney for performing the legal service; *and provided, further,* that nothing herein contained shall apply to a nonprofit, nonstock corporation, or its attorneys, in respect to serving its members."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, after line 21, add the following paragraph:

"Nothing herein contained shall be construed to prevent a corporation from furnishing to any person, lawfully engaged in the practice of the law, such information or such clerical services in and about his professional work, as, except for the provisions of this section, may be lawful, *provided,* that at all times the lawyer receiving such information or such services shall maintain full professional and direct responsibility to his clients for the information and services so received. But no corporation shall be permitted to render any services which cannot lawfully be rendered by a person not admitted to practice law in this state nor to solicit directly or indirectly professional employment for a lawyer."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 552—An act to amend section 11 of chapter 176, Laws of 1913, as amended, by chapter 762, Laws of 1927, by providing that fees collected by the Industrial Accident Commission may be expended by said commission.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, add after "folio", the sentence, "for transcripts of testimony twenty cents for each folio for all copies"; strike out paragraph (4) and insert in lieu thereof the following: "(4) Fees charged and collected under this section, except those charged for transcripts of testimony, shall be paid monthly into the treasury of the state and credited to the "general fund" and shall be accompanied by a detailed statement thereof. Fees charged and collected for transcripts of testimony shall be paid into the support funds of the industrial accident commission."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 553—An act to amend subdivision (c) of section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, with respect to limitations of time for instituting proceedings for the collection from an employer of additional compensation.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 42, of the printed bill, strike out the clause beginning with the words "but no", and ending with and including the word "commenced", in line 25, and add the following subsection:

"(i) Proceedings for the collection of compensation on the ground of serious and wilful misconduct of the employer under provisions of section 6 (b) must be commenced within six months from date of injury, anything in this act to the contrary notwithstanding. No payment of compensation or agreement therefor, or filing of application for compensation benefits under the provisions of this act shall extend such period of limitation."

Delete the clause on page 2 in line 24, commencing with the words "shall be", and ending with the word "disability", in line 47, and substitute therefor the following words: "Within one year from the date of the injury causing said disability."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 554—An act to amend subdivision (d) of section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by permitting decision on rehearing after 245 weeks from the date of the injury.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 34, of the printed bill, after the words "the injury," strike out the words beginning with "and the", down to and including the words "prior award", in line 36, and insert the words "*and provided*, that any order, decision or award based upon such petition shall be made and entered not later than ninety days after the expiration of such two hundred forty-five week period, and".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 184—An act to amend section 1279 and 1298 of the Penal Code, relating to bail.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 639—An act to amend section 464 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosive.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or irrigation ditches.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out "irrigation ditch, or channel," and insert in lieu thereof the following: "drainage ditch,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed bill, strike out "irrigation ditch, or channel," and insert in lieu thereof the following: "drainage ditch,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, lines 25 and 26, of the printed bill, strike out "irrigation ditch, or channel," and insert in lieu thereof the following: "drainage ditch,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 6, of the printed bill, strike out "reclamation or irrigation ditch,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 644—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 1, line 22, of the printed bill, strike out the words "in this code", and insert in lieu thereof the word "is".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 27, of the printed bill, strike out the words "in this code", and insert in lieu thereof the word "is".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 410—An act to amend section 364*a* of the Political Code, relating to the creation of a Division of Immigration and Housing in the Department of Industrial Relations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 120—An act to amend sections 3, 9, 12 and 20*a* of, and to add new sections numbered 3*a*, 3*b*, 3*c* and 12*a* to the California Real Estate Act, relating to the State Real Estate Department, the issuance and revocation of licenses, the examination of subdivision projects, and creating the California Real Estate Advisory Council.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered :

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 31 to 51, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3 of the printed bill, strike out lines 1 to 32, inclusive.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3, line 33, of the printed bill, strike out "Sec. 5", and insert in lieu thereof the following: "Sec. 2".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 5 of the printed bill, between line 6 and line 7, insert the following:

"Sec. 3. Section 10 of said act is hereby amended to read as follows:

Sec. 10. License fees shall be as follows:

(1) For an original broker's license the fee shall be five dollars together with an examination fee of fifteen dollars, which examination fee shall cover all examinations prior to the issuance of such original broker's license. For a renewal broker's license the annual fee shall be five dollars. For the purpose of this section, an original broker's license is defined to be one issued to a person, copartnership or corporation who did not have a broker's license on December thirty-first of the year previous to the year for which the license is issued. For the purpose of this section, a renewal broker's license is defined to be one issued to a person, copartnership or corporation who did have a broker's license unrevoked and unsuspended on December thirty-first of the year previous to the year for which such renewal license is issued. If the licensee be a corporation, the license issued to it shall entitle the president thereof, on behalf of such corporation, to engage in the business of real estate broker within the meaning of this act without the payment of any further fee. For each officer other than the president of a licensed corporation, through whom it shall engage in the business of real estate broker, within the meaning of this act, the annual fee shall be two dollars in addition to the fee paid by said corporation. If the licensee be a copartnership, the license issued to it shall entitle one member only of said copartnership to engage on behalf of such copartnership in the business of real estate broker within the meaning of this act, said member to be designated in the application of such copartnership for a license. For each other member of such copartnership who on behalf of such copartnership engages in the business of real estate broker within the meaning of this act the annual fee shall be two dollars in addition to the fee paid by said copartnership.

(2) For an original salesman's license the annual fee shall be two dollars, together with an examination fee of three dollars, which examination fee shall cover all examinations prior to the issuance of an original salesman's license. An original salesman's license is defined to be one issued to a person who did not have a salesman's or a broker's license either individually or as an officer of a corporation, or as a member of a copartnership, on December thirty-first of the year previous to the year for which the salesman's license is issued. For the purpose of this section a renewal salesman's license is defined to be one issued to a person who had a salesman's or a broker's license either individually or as an officer of a corporation, or as a member of a copartnership, on December thirty-first of the year previous to the year for which the salesman's license is issued.

(3) For a renewal salesman's license the annual fee shall be two dollars.

(4) For a branch office broker's license the fee shall be one dollar.

(5) For change of name or of address of licensee on the records of the department the fee shall be one dollar.

(6) The fee for transfer of a salesman's license on change of employer shall be one dollar.

The fee for all licenses shall at all periods of the year be the same as above provided. All license fees herein provided for shall be payable in advance of issuing the licenses and all examination fees shall be payable before taking the examination. All licenses shall expire on December thirty-first of each year at midnight."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 7, of the printed bill, strike out "SEC. 6", and insert in lieu thereof the following: "SEC. 4".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 51, of the printed bill, strike out "SEC. 7", and insert in lieu thereof the following: "Sec. 5".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 7, line 10, of the printed bill, between "division", and the period, insert the following: "and within ten days after such service the defendant shall be required to appear and file a verified answer to such charges".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 8, line 1, of the printed bill, strike out "SEC. 8", and insert in lieu thereof the following: "SEC. 6".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 8, line 11, of the printed bill, after the semicolon, insert the following: "a true statement of the condition of the title to the land, particularly including all encumbrances thereon and the holders thereof, the terms and conditions on which it is intended to dispose of such land, together with copies of any contracts intended to be used".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 8, line 17, of the printed bill, after the period, insert the following: "In case the lands to be subdivided shall be subject to a lien or encumbrance securing or evidencing the payment of money or any obligation relating to the subdivided lands other than taxes or assessments levied by public authority, or in case the interest of the owner or subdivider be held under option or contract of purchase or in trust, it shall be unlawful to sell any land in such subdivision unless provision exists in such lien, encumbrance, option, contract or trust agreement, or in a valid supplementary agreement enabling the vendor to deliver, when due, title to each parcel sold free of such lien, encumbrance, option, contract or trust agreement, and unless provision exist by valid agreement providing for the impounding of sufficient of the payments to be made by the buyer to enable the vendor to deliver title, when due, clear of such lien, encumbrance, option, contract or trust agreement. Certified or verified copies of documents containing such provisions shall be filed with the real estate commissioner prior at the sale of any part of the subdivision. All agreements of sale made in violation of this section shall be voidable to the option of the buyer."

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 8, line 27, of the printed bill, strike out "nor more than twenty-five cents (25¢) per acre if the".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8, line 28, of the printed bill, strike out "project is situated outside of this state".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8, line 29, of the printed bill, after the period, insert the following: "If the project be situated outside of this state the questionnaire shall be accompanied by a fee equal to three cents a mile for each mile going and returning, estimated by the commissioner to be traveled by railroad from Sacramento to the location of the project, plus a fee of fifty dollars. In the event the time consumed in the examination exceeds five days, the owner or subdivider shall, after the examination of the project, pay to the commissioner a sum at the rate of ten dollars per day for each day consumed in such examination over and above five days.

The owner or subdivider shall be required to pay the fees of all expert and technical assistants together with their necessary traveling expenses in going to and returning from the project, the distance to be computed by the most direct railroad route from Sacramento to the site of the project and return, which cost shall be payable upon demand of the commissioner."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1867—An act to amend section 5 of chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors and defining the term contractor; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the licensing of contractors, and providing that this act shall take effect immediately.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was submitted:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, following the word "addition", insert the following: "if the applicant is an individual, his name and address; if a copartnership, the names and addresses of all partners; and if a corporation, association or other organization, the names and addresses of the president, vice president, secretary, and chief construction managing officer or officers, together with".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 170—An act to amend section 365*d* of the Political Code, relating to highways.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out lines 20 to 31, both inclusive, and in lieu thereof insert the following:

"It shall be the duty of the state highway commission with respect to state highways and local authorities with respect to streets and highways under their jurisdiction, to keep in repair or cause to be kept in repair, all objects or markers adjacent to a public highway which have been erected to mark registered historical places and to keep such markers free from all vegetation which may obscure them from view.

It shall be the duty of the commission or local authorities to erect and maintain or cause to be erected and maintained upon the public highways suitable signs of statewide uniform type indicating the direction and distance to all state registered landmarks of historical interest not adjacent to and visible from a state highway. Such signs shall be placed to properly direct motorists from the state highway to such registered landmarks over the most direct and best route."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 403—An act to provide for the inspection and certification of liquid eggs, frozen eggs and dried eggs and any other egg products imported into the State of California from without the United States for the purpose of human consumption; to prescribe certain powers and duties of the State Department of Public Health with respect thereto, and to provide penalties for violations of the provisions of this act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 403 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagdy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 123—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Senate Bill No. 123 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4253", and insert in lieu thereof the following: "4250 and to repeal section 4249a".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "twenty-fourth", and insert in lieu thereof the following: "twenty-first".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "4253", and insert in lieu thereof the following: "4250".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"4250. In counties of the twenty-first class, the county".

AMENDMENT NUMBER FIVE.

On page 6, line 47, of the printed bill, strike out "the twenty-fourth", and insert in lieu thereof the following: "this".

AMENDMENT NUMBER SIX.

On page 7 of the printed bill, strike out lines 7 to 12, inclusive, and insert in lieu thereof the following:

"18. The population herein referred to in classifying townships for the purpose of regulating the compensation of justices of the peace and constables shall be the population found and determined by the next preceding federal census."

AMENDMENT NUMBER SEVEN.

On page 7, after line 12, of the printed bill, insert the following:

"19. In counties of the twenty-first class, grand jurors and trial jurors in the superior court shall receive for each day's attendance three dollars, and for every mile actually traveled in attending court as such juror, in going only, fifteen cents."

SEC. 2. Section 4249a of the Political Code is hereby repealed."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 24, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 123, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 179—An act to amend section 2322x24 of the Political Code, relating to the county horticultural commissioner, his deputies, inspectors and clerks in counties of the twenty-fourth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Baker moved to refer Senate Bill No. 179 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322x24", and insert in lieu thereof the following: "2322x21".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "horticultural", and insert in lieu thereof the following: "agricultural".

AMENDMENT NUMBER THREE.

In line 3 of the title of the printed bill, strike out "twenty-fourth", and insert in lieu thereof the following: "twenty-first".

AMENDMENT NUMBER FOUR.

On page 1, line 1, of the printed bill, strike out "2322x24", and insert in lieu thereof the following: "2322x21".

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"2322x21. In counties of the twenty-first class the".

AMENDMENT NUMBER SIX.

On page 1, line 10, of the printed bill, strike out "horticultural", and insert in lieu thereof the following: "agricultural".

AMENDMENT NUMBER SEVEN.

On page 1, after line 22, of the printed bill, insert as a new paragraph the following:

"(d) One clerk, at a salary of nine hundred dollars per annum."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 179, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee.

Report read, and on motion of Senator Baker adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 485—An act to amend section 2 of chapter 319, Statutes of 1913, entitled "An act to promote the better education of nurses and the better care of the sick in the State of California, to provide for and regulate the examination and registration of graduate nurses, and to provide for the issuance of certificates of registration as registered nurses to qualified applicants by the State Board of Health, and to repeal an act approved March 20, 1905, entitled 'An act to promote the better education of the practice of nursing the sick in the State of California, to provide for the issuance of certificates of registration as a registered nurse to qualified applicants of the Board of Regents of the University of California, and to provide penalties for violation thereof,' " relating to examination fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 485 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF SENATE BILL.

Senator Sharkey asked for, and was granted, unanimous consent to have Senate Bill No. 902 withdrawn from the Committee on Motor Vehicles and re-referred to Committee on Judiciary.

Senate Bill No. 555—An act to amend subdivision (e) of section 27 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by extending the limitation of time for the filing of proceedings for compensation where a release or compromise agreement has not been approved by the commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 555 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF SENATE BILL NUMBER ONE HUNDRED SIXTY-ONE.

Senator Carter moved to re-refer Senate Bill No. 161 to Committee on Judiciary.

Motion carried.

Bill ordered re-referred to Committee on Judiciary.

Senate Bill No. 161—An act to add a new section to the Civil Code to be known as section 3045, covering the lien of an attorney at law.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 161 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, following line 28, of the printed bill, insert as follows: "Ministers and priests shall have a lien on the contents of the collection box, if any, for their services."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 161, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and refused adoption.

RECESS.

On motion of Senator Breed, at twelve o'clock and fifty-two minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair

Assistant Secretary Francis E. Dalin at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 8—Relative to the increase in power of radio station KQW.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1084—An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and/or pressing establishments, operated as independent concerns or as units of concerns, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal; providing ways and means for enforcement, and providing penalties for violations;

Also: Assembly Bill No. 1212—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, and as amended June 1, 1923, January 17, 1929, and May 28, 1929, by amending the title and sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19 and 20 thereof, and by repealing sections 17a, 18a, 23, 24 and 25 thereof;

Also: Assembly Bill No. 1822—An act to amend section 2322~~15~~ of the Political Code, relating to the office of agricultural commissioner in counties of the fifteenth class;

Also: Assembly Bill No. 998—An act to amend section 504 of the Public Utilities Act, relating to passenger stage corporations;

Also: Assembly Bill No. 1121—An act to amend section 17 of the Public Utilities Act, relating to transportation and rates and charges therefor;

Also: Assembly Bill No. 226—An act to amend sections 5, 6, and 9 and to add section 8a to an act entitled "An act to provide for the formation, management, alteration of boundaries, and dissolution of sewer maintenance districts in unincorporated territory of counties, defining the powers of such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 19, 1927, Statutes of 1927, page 1088.

ARTHUR A. OHNIMUS, Chief Clerk
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1084 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bill No. 1212 read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 1822 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 998 and 1121 read first time, and referred to Committee on Public Utilities.

Assembly Bill No. 226 read first time, and referred to Committee on Municipal Corporations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and

liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith—and reports that the same has been correctly re-engrossed.

INGELS, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 182—An act to authorize the counties of the State of California to establish systems for the retirement and pension of county and township officers and employees and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax—and reports that the same has been correctly engrossed.

RILEY, Chairman.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 923—An act to amend sections 633 and 633a, and to add sections 633a1, 633a2, 633a3, 633a4, 633a5, 633a6, 633a7, 633a8, 633a9, 633a10, 633a11, 633a12, 633a13, 633a14, 633a15, 633a16, 633a17, 633a18, 633a19, 633a20, 633a21, 633a22, 633a23, 633a24, 633a25, 633a26, 633a27, 633a28, 633a29, 633a30, 633a31, 633a32, 633a33, 633a34, and 633a35 to the Political Code, relating to the qualification, licensing and fees of insurance agents, brokers, and solicitors, and making an appropriation for the support of the Board of Insurance Qualification—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—6; absent—5.

TUBBS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Insurance, the following amendments to Assembly Bill No. 923 were read and adopted:

AMENDMENT NUMBER ONE.

Amend the title of the printed bill, by deleting the "and", following the comma after the number "633a34", and insert after the figures "633a35" a comma and the word and figures "and 633a36".

AMENDMENT NUMBER TWO.

Amend the title of the printed bill, by deleting after the word "solicitors", the words "and making an appropriation for the support of the board of insurance qualification".

AMENDMENT NUMBER THREE.

On page 7, line 50, of the printed bill, after the comma following the word "employees", add the following: "nor salesmen selling merchandise in connection with which insurance premiums are included in the purchase price,".

AMENDMENT NUMBER FOUR.

On page 8, line 31, of the printed bill, before the word "seven", add the following: "eight members, including the insurance commissioner, who shall be an ex officio member of said board and".

AMENDMENT NUMBER FIVE.

On page 8, line 31, of the printed bill, after the word "seven", add the word "appointive".

AMENDMENT NUMBER SIX.

On page 8, line 33, of the printed bill, after the word "first", add the word "appointive".

AMENDMENT NUMBER SEVEN.

On page 8, line 40, of the printed bill, after the word "Any", add the word "appointive".

AMENDMENT NUMBER EIGHT.

On page 8, line 45, of the printed bill, after the word "Each", add the word "appointive".

AMENDMENT NUMBER NINE.

On page 8, line 49, of the printed bill, before the word "membership", add the word "appointive".

AMENDMENT NUMBER TEN.

On page 9, line 16, of the printed bill, beginning with the word "be", delete the following: "be reimbursed for all necessary traveling and other actual expenses incurred in the discharge of his duties as a member of the board. He shall".

AMENDMENT NUMBER ELEVEN.

On page 9, line 22, of the printed bill, delete the whole sentence commencing with the words "The board", to and including the period following the word "duties", in line 25.

AMENDMENT NUMBER TWELVE.

On page 9, line 30, of the printed bill, after the word "chairman", add a comma, and delete the word "and".

AMENDMENT NUMBER THIRTEEN.

On page 9, line 31, of the printed bill, delete the word "a", before the words "vice chairman", and add after said words "vice chairman", a comma together with the words "and secretary", and add a period thereafter.

AMENDMENT NUMBER FOURTEEN.

On page 9, line 31, of the printed bill, delete the word "must", before the word "elect", and insert in lieu thereof the word "shall".

AMENDMENT NUMBER FIFTEEN.

On page 9, line 30, of the printed bill, after the word "chairman", strike out the word "and", following "chairman", and insert in lieu thereof a comma.

AMENDMENT NUMBER SIXTEEN.

On page 9, line 32, of the printed bill, after the word "vice-chairman", add the words "and secretary".

AMENDMENT NUMBER SEVENTEEN.

On page 9, lines 38 and 39, of the printed bill, delete the words "board of insurance qualification", and insert in lieu thereof the words "insurance commissioner".

AMENDMENT NUMBER EIGHTEEN.

On page 9, line 40, of the printed bill, after the word "by", delete the words "the members of said board", and insert in lieu thereof the word "himself".

AMENDMENT NUMBER NINETEEN.

On page 9, line 41, of the printed bill, after the word "as", delete the word "they", and insert in lieu thereof the word "he".

AMENDMENT NUMBER TWENTY.

On page 9, line 42, after the word "board", insert the words "of insurance qualification".

AMENDMENT NUMBER TWENTY-ONE.

On page 9, lines 46 and 47, of the printed bill, delete the words "experience or training", and add in lieu thereof the words "sufficient knowledge of".

AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 1, of the printed bill, after the period following the word "be", add the following sentence: "It shall be the duty of the board of insurance qualification at least twice a year to prepare a set of examination papers to be used in the examination of applicants."

AMENDMENT NUMBER TWENTY-THREE.

On page 10, line 18, of the printed bill, after the word "act", insert the words "not exceeding a period of six months".

AMENDMENT NUMBER TWENTY-FOUR.

On page 10, lines 19 and 20, delete the following: "Unless the board in writing extends the time, failure", and insert in lieu thereof the word "Failure".

AMENDMENT NUMBER TWENTY-FIVE.

On page 10, line 22, of the printed bill, delete the words "board of its", and insert in lieu thereof the words "insurance commissioner of his".

AMENDMENT NUMBER TWENTY-SIX.

On page 10, lines 24 to 26, of the printed bill, delete the words "the board of insurance qualification shall notify the insurance commissioner in writing of the failure, and".

Bill ordered to print, and re-referred to Committee on Insurance.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 770—An act to amend the California Vehicle Act by amending section 81, and by adding thereto new sections to be numbered 112½ and 159½, relating to penalties for nonpayment of fees, to the sale of gasoline or other fuel for motor vehicles to persons under the influence of intoxicating liquors and authorizing the Division of Motor Vehicles to pay for damages to vehicles caused by the transportation of persons injured in automobile accidents—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—19; committee vote: Ayes—9; absent—7.

BAKER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Motor Vehicles, the following amendment to Senate Bill No. 770 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, between lines 11 and 12, insert the following:

"(b) Every registration or transfer fee and any penalty added thereto shall from the date the same are due constitute a lien upon the vehicle upon which the same are due, and the division is hereby empowered and it shall be its duty to collect such fee and penalty by seizure of such vehicle from the person in possession thereof, if any, and by the sale of such vehicle.

The seizure and sale herein authorized shall be conducted and carried out by the division in the same manner as is provided by law for the seizure and sale of personal property by the tax collector for the collection of taxes due on personal property."

Bill ordered to print, and re-referred to Committee on Motor Vehicles.

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, public streets, roads and highways and other wells—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—8; committee vote: Ayes—6; noes—1; absent—1.

SHARKEY, Chairman.

Senate Bill No. 363 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 492—An act to add a new section to "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, to be numbered 166, relating to bonds required of drillers of oil and gas wells—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—8; committee vote: Ayes—7; absent—1.

SHARKEY, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Oil Industries, the following amendments to Senate Bill No. 492 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out the title and insert in lieu thereof the following:

"An act to amend the title and sections 3, 6, 8, 15, 16 and 18 of, and to add a new section to be numbered 20a to, an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creating of a division in the department of natural resources for the prevention of such waste and destruction; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the director of the department of natural resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act.", approved June 10, 1915, as amended."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 9, inclusive, and on page 2 of the printed bill, strike out lines 2 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. The title of an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the department of natural resources for the prevention of such waste and destruction; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the director of the department of natural resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act.", approved June 10, 1915, as amended, is hereby amended to read as follows:

An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the department of natural resources for the prevention of such damage, waste and destruction; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; prescribing for the appointment of deputies and employees; inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the director of the department of natural resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act.

SEC. 2. Section 3 of said act is hereby amended to read as follows:

SEC. 3. It shall be the duty of the state oil and gas supervisor so to supervise the drilling, operation and maintenance and abandonment of petroleum or gas wells or wells for the discovery of petroleum or gas in the State of California, as to prevent, as far as possible, damage to underground petroleum and gas deposits from infiltrating water and other causes and loss of petroleum and natural gas and damage to underground and surface waters suitable for irrigation or domestic purposes from the infiltration therein, or the addition thereto, of substances detrimental thereto, by reason of such drilling, operation, maintenance or abandonment of such wells. It shall be the duty of any person, firm or corporation engaged in operating any petroleum or gas well in this state wherein high pressure gas is known to exist, and any person, firm or corporation drilling for petroleum or gas in any district in this state where the pressure of petroleum or gas is unknown, to equip any such well with casing of sufficient strength, and such other safety devices as may be necessary, in accordance with methods approved by the state oil and gas supervisor, and to use every effort and endeavor to effectually prevent blow-outs, explosions and fires.

SEC. 3. Section 6 of said act is hereby amended to read as follows:

SEC. 6. It shall be the duty of each deputy to collect all necessary information regarding the oil and gas wells in the district, with a view to determining the

presence and source of water in the oil sand and the location and extent of strata bearing water suitable for irrigation or domestic purposes that might be affected thereby, and to make all maps and other accessories necessary to determine the presence and source of water in the oil sands and the location and extent of strata bearing water suitable for irrigation or domestic purposes or surface water suitable for such purposes. This work shall be done with the view to advising the operators as to the best means of protecting the oil and gas sands and the said water-bearing strata and surface water, and with a view to aiding the supervisor in ordering tests or repair work at wells. All such data shall be kept on file in the office of the deputy oil and gas supervisor of the respective district.

SEC. 4. Section 8 of said act is hereby amended to read as follows:

Sec. 8. It shall be the duty of the supervisor to order such tests or remedial work as in his judgment are necessary to protect the petroleum and gas deposits from damage by underground water, or to prevent the escape of water into underground formations, or to prevent the infiltration of detrimental substances into underground or surface waters suitable for irrigation or domestic purposes, to the best interests of the neighboring property owners, and the public at large. The order shall be in written form, signed by the supervisor, and shall be served upon the owner of the well, or the local agent appointed by such owner, either personally or by mailing a copy of said order to the post-office address given at the time the local agent is designated, or if no such local agent has been designated, by mailing a copy of said order to the last known post-office address of said owner, or if the owner be unknown, by posting a copy of said order in a conspicuous place upon the property, and publishing the same in some newspaper of general circulation throughout the county in which said well is located, once a week for two consecutive weeks. Said order shall specify the conditions sought to be remedied and the work necessary to protect such deposits from damage from underground water.

Whenever the supervisor or any deputy makes or gives any written direction concerning the drilling, testing or other operations in any oil or gas well drilled, in process of drilling or being abandoned, and the operator, owner or representative of either, serves written notice, either personally or by mail, addressed to the supervisor or his deputy at his office in the district, requesting that a definite order be made upon such subject, the supervisor or his deputies shall, within five days after such notice, deliver a final written order on such subject matter in such manner and form that an appeal may be taken at once therefrom, to the board of oil and gas commissioners of the district created under this chapter.

SEC. 5. Section 15 of said act is hereby amended to read as follows:

Sec. 15. The owner or operator of any well now drilled or drilling, or that may hereafter be drilled or drilling, in the State of California on lands producing or reasonably presumed to contain petroleum or gas shall properly case such well or wells with water-tight and adequate metal casing and, in accordance with methods approved by the supervisor, or his deputy, and under his direction, shut off all water overlying and underlying oil-bearing or gas-bearing strata and prevent any water from penetrating such oil-bearing or gas-bearing strata. Such owner or operator shall likewise use every effort and endeavor to shut out from the strata containing water suitable for irrigation or domestic purposes and from surface water suitable for such purposes, substances detrimental thereto, and to prevent the infiltration of such substances into the strata containing water suitable for irrigation or domestic purposes and into such surface water.

Whenever it appears to the supervisors that any water from any such well is penetrating oil-bearing or gas-bearing strata or that any such detrimental substances are infiltrating into underground or surface water suitable for irrigation or domestic purposes from any such well, he may order a shut-off test and shall designate a day upon which test shall be held. Said order shall be in written form and served upon the owner or operator of said well at least ten days prior to the day designated in said order as the day upon which said test shall be held. Upon the receipt of such order it shall be the duty of the owner or operator to hold said test in the manner and at the time prescribed in said order.

SEC. 6. Section 16 of said act is hereby amended to read as follows:

Sec. 16. It shall be the duty of the owner or operator of any well referred to in this act, before abandoning same, in accordance with methods approved by the supervisor, or his deputy, and under his direction, to shut off and exclude all water from entering oil-bearing or gas-bearing strata encountered in the well and to use every effort and endeavor to protect any underground or surface water suitable for irrigation or domestic purposes from infiltration or addition of any detrimental substances. Before any work is commenced to abandon any well, the owner or operator shall give written notice to the supervisor, or his deputy, of his intention to abandon such well and the date upon which such work of abandonment shall begin. The notice shall be given to the supervisor, or his deputy, at least five days before such proposed abandonment and shall contain information showing the condition of the well and the proposed method of abandonment. The owner or operator shall furnish the supervisor, or his deputy, any additional information that he may request regarding the condition of the well and the proposed method of abandonment at any time between the filing of the notice of intention to abandon such well and the completion of abandonment. The supervisor, or his deputy, shall, before the proposed date of commencing work to abandon such well, furnish the owner or operator (1) with a

written report of approval of his proposal or (2) a written report stating what work or tests will be necessary before approval to abandon will be given, or (3) a written request stating what information will be necessary for the owner or operator to furnish the supervisor, or his deputy, before approval to commence work to abandon or before approval to abandon, will be given. If the supervisor, or his deputy, shall fail within the specified time to give the owner or operator a written report or request, such failure shall be considered as an approval of the owner's or operator's proposal to abandon such well, and such proposal shall, for the purposes and intents of this act, be deemed a written report of the supervisor or his deputy. Within five days after the completion of abandonment of any well referred to in this act, the owner or operator of the well abandoned shall make, in such form as the supervisor, or his deputy, may direct, a written report, in duplicate, of all work done in connection with the abandonment. The supervisor, or his deputy, shall, within ten days after the receipt of such written report of completion, furnish the owner or operator with a written final approval of abandonment or a written disapproval of abandonment setting forth the conditions upon which such disapproval is based. Failure to abandon in accordance with the approved method of abandonment; failure to notify the supervisor, or his deputy, to witness any and all tests provided to be witnessed by the supervisor, his deputy or his inspector, in such approved proposal; failure to furnish the supervisor, or his deputy, at his request, any information regarding the condition of the well, or any or either of such failures, shall be deemed sufficient grounds for disapproval of such abandonment.

SEC. 7. Section 18 of said act is hereby amended to read as follows:

Sec. 18. It shall be the duty of the owner and operator of any well referred to in this act to keep a careful and accurate log, core record and history, of the drilling of such well, such log to show the character and depth of the formation passed through or encountered in the drilling of such well, and particularly to show the location and depth of the water-bearing strata, together with the character of the water encountered from time to time (so far as ascertained) and to show at what point such water was shut off, if at all, and if not, to so state in such log, and show completely the amounts, kinds and size of casing used, and show the depth at which oil-bearing strata are encountered, the depth and character of same, and whether all water overlying and underlying such oil-bearing strata was successfully and permanently shut off so as to prevent the percolation or penetration of such water into such oil-bearing strata and whether strata bearing water that might be suitable for irrigation or domestic purposes are properly protected from the infiltration or addition of detrimental substances from such well; such core record to show depth, character, and fluid content of cores obtained, so far as determined; such history to show location and amount of sidetrack casings, tools or other material, depth and quantity of cement in cement plugs, shots of dynamite or other explosives, results of production, and other tests during drilling operations; such log shall be kept in the local office of the owner or operator, and, together with the tour reports of said owner or operator, shall be subject, during business hours, to the inspection of the supervisor, or any of his deputies, or any of the commissioners of the district, except in the case of a prospect well as hereafter defined. Upon the completion of any well or upon the suspension of operations upon any well, for a period of six months, if it be a prospect well, or for thirty days, if it be in proven territory, a copy of said log, core record and history, in duplicate, and in such form as the supervisor may direct, shall be filed within ten days after such completion, or after the expiration of said thirty-day period, with the field supervisor, and a like copy shall be filed upon the completion of any additional work in the deepening of any such well. The owner or operator of any well referred to in this act, or his local agent, shall file with the supervisor a copy of such log, history, and core record, or any portion thereof, at any time after the commencement of the work of drilling any such well, except a prospect well, upon written request of the supervisor, or his deputy. Such request shall be signed by the supervisor, or his deputy, and served either personally upon, or by mailing a copy of said request, by registered mail, to the last known post-office address of, such owner or operator or agent.

A well shall be deemed completed, for the purposes of this act, thirty days after the well has commenced to produce oil, water, or gas, unless drilling operations are resumed before the end of the thirty-day period.

The state oil and gas supervisor shall determine and designate what wells are prospect wells within the meaning of this act, and no reports shall be required from such prospect wells until six months after the completion thereof.

The owner or operator of any well drilled previous to the enactment of this act shall furnish to the supervisor, or his deputy, a complete and correct log, in duplicate, and in such form as the supervisor may direct, or his deputy, of such well, so far as may be possible, together with a statement of the present condition of said well.

SEC. 8. A new section to be numbered 20a is hereby added to said act to read as follows:

Sec. 20a. The state oil and gas supervisor shall require of every person, firm, association, corporation, trust or syndicate now engaged, or who or which shall hereafter engage, in the drilling of any well referred to in this act, as principal, an

indemnity bond in the sum of five thousand dollars (\$5,000) for each such well being so drilled or which shall be hereafter so drilled, or a bond in the sum of twenty-five thousand dollars (\$25,000) to cover all operations of such person, firm, association, corporation, trust or syndicate in this state, executed by a reliable surety company, authorized to do business in the State of California, as surety, for the purpose of indemnifying the State of California against any and all loss, charges or expense caused by the failure of the principal named in such bond to comply with the provisions of this act. The condition of said bond shall be stated in substantially the following language:

"If said ----- the above bounden principal, shall well and truly comply with all the provisions of the act entitled An act to protect the natural resources of water, petroleum and gas from damage, waste and destruction; relating to the creation of a division in the department of natural resources for the protection of such damage, waste and destruction; providing for the appointment of a state oil and gas supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the director of the department of natural resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators; and providing for the collection thereof; providing for bonds required of drillers of oil and gas wells; and making an appropriation for the purposes of this act, approved June 10, 1915, as amended, and shall obey all orders of the state oil and gas supervisor, or his deputy or deputies, lawfully made in pursuance thereof, if not appealed as provided in said act, or upon affirmance thereof by the board of commissioners having jurisdiction thereof, if appealed thereto, and shall pay all charges, costs and expenses incurred by such supervisor or his deputy or deputies in respect of such well or wells or the property or properties of said principal, or assessed against such well or wells or the property or properties of such principal, in pursuance of the provisions of said act, then this obligation shall be void, otherwise, it shall remain in full force and effect."

Bill ordered to print, and re-referred to Committee on Oil Industries.

PRESENTATION OF PETITION—(OUT OF ORDER).

The following resolution was offered, and ordered printed in the Journal:

By Senator McKinley:

ECONOMIC COUNCIL OF SOUTHERN CALIFORNIA.

RESOLUTION.

Resolved, That the Economic Council of Southern California should today record its approval of the so-called McKinley Assembly Reapportionment Bill, as now drawn, and as approved by the Reapportionment Committee of the Senate and by the Senate itself and now in the Assembly; and be it further

Resolved, That the Economic Council should request the representatives of the State Legislature from Southern California to approve this Assembly Reapportionment Bill as now drawn.

I hereby certify that the above is a true and correct copy of resolution adopted by the Economic Council of Southern California at its meeting at Los Angeles held Saturday, March 21, 1931.

JOHN C. AUSTIN, Chairman.

Attest:

W. F. ARNOLD, Secretary.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 932—An act to amend section 1 of an act entitled "An act to define motor club service, and to define, license and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Slater moved to refer Assembly Bill No. 932, as amended March 23, 1931, to Senator Riley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 9, of the printed bill, after the word "Any" insert the word "written", and in said line strike out the words "or understanding".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 932, with instructions to amend, respectfully reports the same back, amended as per instructions.

RILEY, Committee.

Report read, and on motion of Senator Slater adopted.

Bill ordered to print and re-engrossment.

Assembly Bill No. 567—An act to amend section 529 of the Code of Civil Procedure, relating to injunctions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 567 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 51—An act to amend section 1 of an act entitled "An act to enable counties to purchase, lease, obtain, hold, improve and maintain land for the uses and purposes of public parks and boulevards," approved May 31, 1921, Statutes 1929, page 992.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 51 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 528—An act to repeal section 4230 of the Political Code, relating to salaries of officers in counties of the first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 528 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixer,

Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 47—An act to amend section 4075 of the Political Code of the State of California, relating to claims against counties.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 47 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 49—An act to amend the Political Code by adding thereto a new section to be numbered 4041k, relating to power of the board of supervisors to vacate or abandon drainage or sewage easements.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 49 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 212—An act to amend sections 1 and 3 of an act entitled "An act providing for the creation of revolving funds in the counties of the State," approved May 9, 1923 (Statutes 1923, page 289), relating to the amount and purposes of such funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 212 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 681—An act to promote the development of the California olive industry and to prevent deception in the packing and sale of canned ripe olives by establishing and defining certain standards for canned ripe olives, defining the powers and duties of the Director of the

Department of Agriculture in relation hereto including the collection of fees, creating a Board of Appeal and defining its powers and duties in relation hereto and fixing the compensation of the members thereof, prescribing penalties for violations hereof and making an appropriation to carry out the provision hereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 681 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Clock, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1608—An act to amend section 4283 of the Political Code, relating to compensation of county and township officers in the counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1608 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Christian, Clock, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 481—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Bureau of Building and Loan Supervision and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354, of the Statutes of 1911, and acts amendatory

thereof and supplemental thereto, chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Swing moved to refer Senate Bill No. 481 to Senator Sharkey, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 5, line 38, of the printed bill, after the semicolon in said line, insert the following:

"(c) a statement that such association will not issue either stock or investment certificates, or in the alternative, a showing that the public convenience and advantage will be promoted by the formation of such association or its qualification to do business in this state; and (d) such other".

AMENDMENT NUMBER TWO.

On page 5, line 38, of the printed bill, strike out the following, "and (c) such other".

Motion lost.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 481 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deval, Deval, Edwards, Evans, Fellows, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moom, Nelson, Pedroni, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tabbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SPECIAL ORDER.

Senator Baker moved that Assembly Bill No. 389 be made a special order for Monday, March 30, 1931, at two o'clock p.m.

Motion carried.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—RESUMED.

Assembly Bill No. 1611—An act to amend section 16554, Weights and Measures Act, relating to scales of weights and measures in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Assembly Bill No. 1611 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deval, Deval, Edwards, Evans, Fellows, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moom, Nelson, Pedroni, Rich, Riley, Rochester, Schottky, Slater, Swing, Tabbs, Waggy and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1614—An act to amend section 232254 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1614 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1609—An act to add a new section, to be numbered 9a54, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1609 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, and Wagy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1610—An act to add section 19r54 to the Juvenile Court Law, relating to probation officers in counties of the fifty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1610 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RE-REFERENCE OF SENATE BILL.

On motion of Senator Rochester, Senate Bill No. 183 was ordered re-referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Assembly Bill No. 492—An act to add a new section to the Political Code to be numbered 3881a, to authorize the county auditor to enter corrections on the

county assessment book and the county tax collector to cancel payments made in error under certain conditions—has had the same under consideration, and respectfully reports the same back, and recommends that the same be referred without recommendation to Committee on Governmental Efficiency.

Committee membership—9; committee vote: Ayes—5; absent—4.

ALLEN, Chairman.

Assembly Bill No. 49 ordered re-referred to Committee on Governmental Efficiency.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 25—An act to amend section 2 of chapter 359, Statutes of 1903, entitled "An act to provide for the payment by the State or counties, or cities, or cities and counties, of the premium or charge on official bonds when given by surety companies," approved March 25, 1903, as amended, relating to official bonds of deputies, clerks and subordinate officers in county offices and institutions;

Also: Senate Bill No. 45—An act to amend sections 2, 3, 4 and 6, and to add a new section to be numbered section 2½, of chapter 210, Statutes of 1901, entitled "An act to provide for the maintenance and support, in certain cases, of indigent, incompetent, and incapacitated persons (other than persons adjudged insane and confined within State hospitals), becoming a public charge upon the counties or cities and counties within the State of California, and for the payment thereof into a fund for the maintenance and support of such persons," approved March 23, 1901, as amended, relating to residence of indigent persons, the bringing of indigents into the State, and the reimbursement of counties for aid advanced indigents;

Also: Senate Bill No. 72—An act creating a game refuge to be known as the Huntington Lake Game Refuge providing for the conservation and protection of game within such district, and providing penalties for violation of the act;

Also: Senate Bill No. 164—An act to add a new section to be numbered 784a to the Penal Code of the State of California providing for and relating to the jurisdiction of criminal actions for slander and in what county or counties such criminal actions shall be commenced and tried;

Also: Senate Bill No. 353—An act to amend section 4041.18 of the Political Code, relating to construction of public buildings; And reports that the same have been correctly enrolled and presented to the Governor on the twenty-sixth day of March, at two o'clock and thirty minutes p.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 529—An act to provide for the sale and conveyance of certain swamp and overflowed, salt marsh and tidelands lying in the county of Alameda, State of California;

Also: Senate Bill No. 540—An act to amend section 653ac of the Civil Code, relating to the election and approval of trustees or directors of corporations formed to receive bequests, gifts, and donations;

Also: Senate Bill No. 617—An act to amend section 3881 of the Political Code, relating to assessor's books and maps.

And reports that the same have been correctly enrolled and presented to the Governor on the twenty-sixth day of March, at two o'clock and thirty minutes p.m.

RILEY, Chairman.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Fellom: Senate Concurrent Resolution No. 26—Relative to preparation of a plan for financing the elimination of grade crossings other than across State highways and authorizing the appointment of a committee for the purpose of preparing such a plan.

Referred to Committee on Roads and Highways.

ADJOURNMENT.

At three o'clock and forty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Friday, March 27, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Friday, March 27, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, Williams, and Young—31.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, March 26, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Treacy was, on motion of Senator Tubbs, granted leave of absence for this day.

Senators Allen, Baker, Edwards, McCormack, Cassidy and Riley were, on motion of Senator Breed, granted leave of absence for this day.

Senator Rochester was, on motion of Senator Carter, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Dorothy Corwin.

On request of Senator Mixter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. J. E. Pogue of Lemon Cove.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wilbur Halsey, manager of Daily Californian, of Berkeley.

On request of Senator Crittenden, by Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lathrop Grammar School, Farrol A. Prouty, principal, and eighth grade pupils as follows: Willie Comenzind, Madeline Hatch, Basil Powell, Lafayette Brevoort, Ivan Miller, June Couchman, Rosalie Hiles, Andro Bronzan, Herbert Engel, Dick Prouty, and Billie Priest, accompanied by Mrs. W. L. Salmon.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Paul Keller, Mrs. R. S. Hawkes, Mrs. G. L. Perry, Mrs. W. E. Sharpe, Mrs. B. C. Smith, of Concord; Mrs. S. Kramer, Pittsburg; also: William Jordan, Orinda; Anthony Reggiardo, Reuben McNamara, of Martinez; Harry Stowe, Lester Lawrence, Walnut Creek; Mr. and Mrs. J. M. Soares,

Charles Guy, Mrs. Madeline Skinner, P. M. Soto, Concord; Supervisors W. J. Buchon, C. H. Hayden, Oscar Olsson, R. J. Trembath, Tax Collector M. W. Joost, Sheriff R. R. Veale, Martinez; H. H. Elworthy, S. Mahler and J. H. McClain of Concord.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to members of the Eastern Star delegation, as follows: Mrs. P. Mose, Mrs. J. Piquet, Mrs. O. Nicholas, Mrs. L. Donnelly, Mrs. J. Childs, Mrs. R. Armand, Mrs. W. B. Hughes, Mrs. W. C. Gerriek and Miss Marie Hughes of Pinole, Contra Costa County; Mrs. V. H. Watson, Mrs. G. W. Harter, Mrs. L. W. Mehaffey, Mrs. E. Meyers, Mrs. E. Stevens, Mrs. F. Stamm, Mrs. J. Trembath, Mrs. C. Keeney, Mrs. M. Veale, Mrs. E. King, Mrs. A. Beede and Miss Mia Nason of Antioch, Contra Costa County; Mrs. C. E. Marshall of Richmond, Contra Costa County; Mrs. Geo. Murray of Pittsburg, Contra Costa County; Mrs. Olive Spitzer, Mrs. Grace Graham, Mrs. Lena May Sorensen, Mrs. Easter Sturdy, Mrs. Grace de Martini, Mrs. Charlotte Ballenger, Mrs. Essie Keller, Mrs. Gibbs, Mrs. Susan de Soto, and Mrs. Estella Eddy of Concord, Contra Costa County; Mrs. Jenny Kronbach, Mrs. Evejean Thomas, Mrs. Bess Stephens, Mrs. Milligan, Mrs. F. Yatchmenoff, Mrs. G. R. Dunn, Mrs. T. Edwards, Mrs. S. Kirkhouse, Mrs. J. Curd, Mrs. Kate Duff, Mrs. Triva Bell, Mrs. Alice Sweet, Mrs. Grace Laidlaw, Mrs. Bess Thomas, and Mrs. Hettie Enos of Crockett, Contra Costa County, and Mrs. Geo. Schaeffer of Brentwood, Contra Costa County.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ernestine Ball, Eleanor Mahearen, Elizabeth Alexander and Noel Sullivan.

On request of Senator Crittenden, by Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Victor School, Mrs. Ruth F. Declusin, teacher, and pupils as follows: Alfred Hensel, Harry Nies, Ole Mettler, Ellsworth Beckman, Leon Kirschenmann, Carolyn Neer, Evelyn Wagemann, Irene Wagemann, Lydia Schlotthauer, Elsie Horst, Pauline Geigle, Ruth Hensel, Leon Handel, Annie Schlotthauer, Clifford Schmiedt, Dorothy Geigle, Arthur Kaul, Herbert Lehr, Walter Christman, Oscar Flaig, Ruth Bechthold, Marion Schmierer, Johnnie Schlotthauer, Marilyn Neer, Effidean Beckman, Edna Sobkowsky and Ruth Bishoff; chaperons, Mr. and Mrs. E. J. Mettler, Mr. and Mrs. Schmierer, Mr. and Mrs. C. Nies, Mrs. E. Beckman and Mrs. R. Declusin of Victor, California.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 460—An act to add a new section to be numbered 26a, to an act entitled "The Road District Improvement Act of 1907," approved March 21, 1907, as amended, to provide a method of adjusting errors and other differences in accounts of incidental expenses;

Also: Assembly Bill No. 461—An act to amend the title and sections 1, 2, 5, and 9 of an act entitled "An act to provide for the formation, management, and dissolution of county fire protection districts, and annexations thereto, setting forth the powers of such districts and providing for levying and collecting taxes on property in such districts to defray the expenses thereof," approved May 23, 1923, Statutes 1923, page 431, as amended, and to add sections 7a, 7b, and 7c, relating to the consolidation of fire protection districts;

Also: Assembly Bill No. 908—An act to amend sections 2, 3, 4, 5, and 7, and to add a new section to be numbered 7a to an act entitled "An act providing for the issuance of improvement bonds to represent certain special assessments for public improvements, and providing for the effect and enforcement of such bonds," approved April 27, 1911, as amended, relating to street improvement bonds;

Also: Assembly Bill No. 1721—An act to amend section 2254 of the Political Code, relating to California School for Blind;

Also: Assembly Bill No. 1741—An act to amend section 2239 of the Political Code, relating to California School for the Deaf;

Also: Assembly Bill No. 761—An act creating a game refuge within a certain fish and game district in El Dorado County, providing for the protection thereof and providing penalties for violations of this act;

Also: Assembly Bill No. 1063—An act to add a new section to the Code of Civil Procedure to be numbered 1952, relating to the destruction or other disposal of exhibits introduced at the trial of civil actions or proceedings;

Also: Assembly Bill No. 349—An act to amend section 6 of chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 460 and 461 read first time, and referred to Committee on County Government.

Assembly Bill No. 908 read first time, and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 1721 and 1741 read first time, and referred to Committee on Education.

Assembly Bill No. 761 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 1063 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 349 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1228—An act to protect trade owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name;

Also: Assembly Bill No. 1866—An act to add two new sections to the Code of Civil Procedure, to be numbered 1919a and 1919b, respectively, relating to the proof, attestation, authentication and admissibility in evidence of church records and/or registers and/or entries therefrom and/or certificates kept or issued by a clergyman or other person in accordance with law or with the rules, regulations and/or requirements of a religious denomination, society or church;

Also: Assembly Bill No. 208—An act to amend section 4285 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the fifty-sixth class;

Also: Assembly Bill No. 1278—An act to amend section 19a28 of the Juvenile Court Law, relating to the compensation of the probation officer in counties of the twenty-eighth class;

Also: Assembly Bill No. 1279—An act to add section 9a28 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to the salary of county librarian in counties of the twenty-eighth class;

Also: Assembly Bill No. 405—An act to amend section 19a5 of the Juvenile Court Law, relating to probation officers in counties of the fifth class;

Also: Assembly Bill No. 982—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class;

Also: Assembly Bill No. 1280—An act to amend section 4259 of the Political Code, relating to salaries, fees and expenses of officers in counties of the twenty-eighth class;

Also: Assembly Bill No. 1296—An act to amend section 19r39 of the Juvenile Court Law, relating to salary of the probation officer in counties of the thirty-ninth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1228 and 1866 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 208, 1278, 1279, 405, 982, 1280 and 1296 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1297—An act to amend section 426r of the Political Code, relating to the salaries, fees and expenses of officers, and the fees and mileage of jurors in counties of the thirty-ninth class;

Also: Assembly Bill No. 1701—An act to add a new section to be numbered 9r39, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-ninth class;

Also: Assembly Bill No. 1704—An act to amend section 2322r32 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-second class;

Also: Assembly Bill No. 1718—An act to amend section 19r50 of the Juvenile Court Law, relating to probation officers in counties of the fiftieth class;

Also: Assembly Bill No. 1705—An act to amend section 19r32 of the Juvenile Court Law, relating to probation officers in counties of the thirty-second class;

Also: Assembly Bill No. 1706—An act to amend section 16r32, Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-second class;

Also: Assembly Bill No. 1707—An act to add a new section, to be numbered 9r32, to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the thirty-second class;

Also: Assembly Bill No. 1709—An act to amend section 2322r39 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-ninth class;

Also: Assembly Bill No. 1710—An act to amend section 16r39 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-ninth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1297, 1701, 1704, 1718, 1705, 1706, 1707, 1709 and 1710 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1711—An act to amend section 16r50 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fiftieth class;

Also: Assembly Bill No. 1712—An act to amend section 2322r50 of the Political Code, relating to the office of agricultural commissioner in counties of the fiftieth class;

Also: Assembly Bill No. 1713—An act to amend section 19r44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class;

Also: Assembly Bill No. 1714—An act to amend section 2322r44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class;

Also: Assembly Bill No. 1716—An act to amend section 16r44 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-fourth class;

Also: Assembly Bill No. 290—An act to amend section 55 of the California Irrigation District Act, relating to tolls and charges for water;

Also: Assembly Bill No. 333—An act to amend sections 61b and 61c of the California Irrigation District Act, relating to the acquiring of property and the exchange of bonds therefor and the judicial determination of the legality of such bonds;

Also: Assembly Bill No. 1056—An act to amend section 7 of an act entitled "An act regulating the sanitary conditions of bakeries, prescribing conditions connected with the manufacture and sale of bakery products and fixing penalties for violation of the provisions thereof," approved June 2, 1921, relating to the handling and sale of bread;

Also: Assembly Bill No. 922—An act to amend section 2.125 of article III, chapter II, part I, division II of an act approved March 28, 1929, entitled "An act to provide for the establishment, government, maintenance and operation of the public school system of the State of California" and known as "The School Code of the State of California," and relating to the boundaries of certain school districts;

Also: Assembly Bill No. 368—An act to add a new section to the School Code, to be numbered 2.74, relating to the liability for the bonded indebtedness of school districts.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1711, 1712, 1713, 1714 and 1716 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 290 and 333 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1056 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 922 and 368 read first time, and referred to Committee on Education.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1865—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents;

Also: Assembly Bill No. 240—An act to amend section 2167b of the Political Code, relating to the residence and cost of maintenance of psychopathic parole patients;

Also: Assembly Bill No. 239—An act to amend section 31 of an act entitled "An act to be known as the 'Pacific Colony Act,' to establish an institution for the care, confinement and instruction of feeble-minded and epileptic persons, to provide for government and maintenance thereof, and for the study of mental deficiency and related problems, to provide for admission and commitment to such institution and to prescribe penalty for unlawfully or improperly contriving to have persons adjudged feeble-minded under this act, to provide for the sterilization of inmates of such institution, to prescribe penalties for procuring the escape or aiding or advising in the escape of inmates, or concealing inmates thereof, to provide a contingent fund for the use of such institution and to make an appropriation therefor," approved June 1, 1917, as amended, requiring counties to pay the State for the proper part of each month;

Also: Assembly Bill No. 238—An act to amend section 11 of an act entitled "An act to provide an institution for the confinement, cure, care, and rehabilitation of drug addicts to be known as the State Narcotic Hospital; to provide for the government and maintenance thereof; to provide for admission and commitment of such addicts, and to prescribe penalties for unlawfully or improperly contriving to have persons adjudged drug addicts under this act; to provide penalties for procuring the escape, or aiding or advising in the escape of inmates, or concealing inmates thereof," approved April 9, 1927, relating to payment of expenses of persons committed to State Narcotic Hospital;

Also: Assembly Bill No. 225—An act to amend the title and sections 1 and 4 of an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public streets, avenues, highways, lanes, alleys, courts and places in the unincorporated territories of counties, for the condemnation of property necessary or convenient for such purposes, for the establishment of assessment districts, and the assessment of property therein to pay the expense of such improvements, for the issuance of improvement bonds to represent assessments for the expense of such improvements, and for the effect and enforcement of such bonds," approved May 11, 1923, Statutes 1923, page 308, as amended, and to add section 1a, relating to assessment of territory within municipalities.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1865 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 240, 239 and 238 read first time, and referred to Committee on Hospitals and Asylums.

Assembly Bill No. 225 read first time, and referred to Committee on Municipal Corporations.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 12—Relative to memorializing Congress to make an emergency appropriation as a loan to the Federal Reclamation Fund.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Joint Resolution No. 12 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 25, 1931, passed Assembly Bill No. 965—An act to amend sections 2, 3, and 4 of an act entitled "An act to define personal property brokers and regulate their charges and business," approved April 16, 1909, as amended, relating to charges of personal property brokers.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 965 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1011—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State;

Also: Assembly Bill No. 618—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 619—An act to amend section 4300f of the Political Code, relating to jurors' fees.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1011 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 618 read first time, and referred to Committee on County Government.

Assembly Bill No. 619 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1174—An act to amend section 4190 of the Political Code, relating to establishment and government and the creation of a fund for a law library;

Also: Assembly Bill No. 1047—An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California;

Also: Assembly Bill No. 1048—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 25, 26, 32, 40, 44, 48a, 61, 65, 68, 85, 84, 101, 105, 133, 137 and 140, and by repealing section 17 and by adding new sections to be known as sections 8a, 16f, and 136c, all relating to the definition and regulation of the business of banking;

Also: Assembly Bill No. 1215—An act authorizing the Director of Finance to contract for the exhibiting of California live stock;

Also: Assembly Bill No. 786—An act to amend section 5 of an act entitled "An act creating a game refuge to be known as the Huntington Lake Game Refuge providing for the conservation and protection of game within such district, and providing penalties for violation of the act," approved April 7, 1931, relating to the disposition of fines collected for violation of the act;

Also: Assembly Bill No. 222—An act to amend sections 2, 5, 8, 40 and 41 of an act entitled "Acquisition and Improvement Act of 1925," approved May 23, 1925, Statutes 1925, page 849, as amended;

Also: Assembly Bill No. 228—An act to amend sections 5, 17, 21, 23, 25, 60 and 61 of an act entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," approved April 7, 1911, Statutes of 1911, page 730, as amended, and to add section 65a, relating to dividing of assessments.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1174 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1047 and 1048 read first time, and referred to Committee on Banking.

Assembly Bill No. 1215 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 786 read first time, and referred to Committee on Fish and Game.

Assembly Bills Nos. 222 and 228 read first time, and referred to Committee on Municipal Corporations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 316—An act to revise chapter 712, Statutes of 1921, entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, as amended;

Also: Senate Bill No. 536—An act to amend section 4041f of the Political Code, relating to powers of counties as to facilities for veterans;

Also: Senate Bill No. 50—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property;

Also: Senate Bill No. 354—An act to amend section 2640 of the Political Code, relating to opening and improving roads.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Senate Bills Nos. 316, 536, 50 and 354 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 27, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 382—An act to amend the California District Act by amending sections 31 and 32a thereof, and adding four new sections thereto, to be designated respectively 32b, 32c, 32d, and 32e, relating to the issuance of bonds of irrigation districts, including funding or refunding bonds, prescribing the form and manner of execution of such bonds and the procedure for the issuance thereof, providing for the adoption of plans for funding or refunding bonds of such districts and for the incurring of indebtedness for the purpose of carrying out such plans, prescribing the terms and conditions upon which such bonds may be issued, authorizing limitations and conditions upon the payment of the principal and/or interest, or any part thereof, of any such funding or refunding bonds, providing for the designation of paying agents of such districts for the purpose of receiving funds thereof and applying the same to the

payment of the principal and/or interest of any such bonds, and declaring this act to be an urgency measure;

Also: Senate Bill No. 417—An act to amend section 4 to chapter 378 of the Statutes of 1915, entitled "An act to provide a central bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendent of the State Bureau of Vital Statistics; the issuance and registration of burial and disinterment permits and certificates of birth and death; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons, and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts of acts in conflict herewith," approved May 19, 1915, as amended, relating to the duties of health officers;

Also: Senate Bill No. 558—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that in prosecutions for violations of said act under this section, the burden of proof shall rest upon the defendant to show compliance with said act; And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 587—An act to amend section 2 of chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees;

Also: Senate Bill No. 865—An act to amend section 4265 of the Political Code relating to compensation of county and township officers in counties of the thirty-sixth class;

Also: Senate Bill No. 866—An act to amend section 2322r36 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-sixth class;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 760—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 36f thereof, relating to the adjudication of appropriative water rights and by adding thereto a new section to be numbered 36g, relating to modification of court decrees as to quantities of water awarded—and reports that the same has been correctly re-engrossed.

DEUEL, Vice Chairman.

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 542—An act to amend section 5, of chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, relating to the canning of sardines—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—16; committee vote: Ayes—12; absent—4.

YOUNG, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Fish and Game, the following amendments to Senate Bill No. 542 were read and adopted:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out line 1 of the title, and insert in lieu thereof the following:

"An act to amend the title and sections 1, 3, 5 and 7a of chapter 551, statutes of 1919, as amended,".

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out line 1, and insert in lieu thereof the following:

"SECTION 1. The title of chapter 551, statutes of 1919, as amended,".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, strike out "by chapter 525, statutes of 1929".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, between lines 14 and 15, insert the following:

"An act to conserve the fish supply in California and to regulate the taking, use and possession of fish or fishery products by prescribing the seasons when and the manner and conditions under which fish or fishery products may be taken, killed, used, sold or possessed, and by empowering the fish and game commission to regulate and control the handling of fish and other fishery products for the purpose of preventing deterioration, waste or depletion; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish markets must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to and by canners, preservers, or fresh fish dealers; to regulate and control the use and possession of fish or other fishery products for reduction or other purposes; to provide for the issuance and revocation of permits and licenses to take or use fish; to provide for the review of the acts of the fish and game commission by the courts of this state, and to provide penalties for any violation of any of the provisions of this act.

SEC. 2. Section 1 of said act is hereby amended to read as follows:

Section 1. The fish and game commission is hereby vested with jurisdiction to regulate and control fishing boats, barges, lighters or tenders, receptacles or vehicles containing fish, commercial fishermen, fish canners, fish packers, fish preservers, fish reduction plants, plants where any fish products are manufactured, and dealers in fish, mollusks, or crustaceans or other fishery products, insofar as it may be necessary to insure the taking, catching and delivery of the fish or other fishery products in a wholesome and sanitary condition to canning, packing or preserving plants, or any plant where fishery products are manufactured, or to any fresh fish dealer, and to prevent deterioration and waste of any fish. Any fish and game commissioner or assistant or employee of the fish and game commission shall have the authority to enter any canning, packing, preserving or reduction plant, or place of business where fish or other fishery products are packed, preserved, manufactured, bought or sold, or to board any fishing boat, barge, lighter, tender, or vehicle or receptacle containing fish, for the purpose of examining any fish or fisheries products, and to ascertain the amount of fish received, or kind and amount of fishery products packed or manufactured and number and size of containers or cans for fishery products purchased, received, used or on hand.

It shall be unlawful to take, catch, kill or have in possession any unprocessed sardines in the State of California at any time except as provided in this section. It shall be lawful to take, catch, kill and have in possession sardines during the open season which shall begin and end, both dates inclusive, as herein prescribed: the open season in fish and game districts numbered four, four and three-quarters, eighteen, nineteen, twenty, twenty "A" and twenty-one shall be from December first of one year to March thirty-first of the year following; the open season elsewhere in the state shall be from September first of one year to February fifteenth of the year following; *provided*, that sardines may be taken or held in possession at any time for bait or for sale in the fresh fish market or for consumption in a fresh condition or for the purpose of packing in cans commonly known as quarter-pound or square cans less than a half pound in net weight.

It shall be unlawful at any time to bring into or to knowingly transport or possess within this state, any fish meal, fish flour, fish oil or other product manufactured from sardines by or on board any floating reduction plant located in the ocean waters of this state or upon the high seas, and it shall likewise be unlawful to outfit, equip, furnish supplies or deliver fish to, or to operate or assist in the operation of any floating reduction plant which is stationed or operated in the ocean waters of this state or on the high seas to the west of this state and within two hundred miles of the nearest coast line of this state.

SEC. 3. Section 3 of said act is amended to read as follows:

SEC. 3. It shall be unlawful for any person, firm or corporation to operate any canning, packing or preserving plant, wherein or whereby any fish taken in the waters of this state or brought into this state are canned, packed or preserved without securing in addition to the license or licenses required by law, a permit from the fish and game commission.

The fish and game commission shall issue such permit to any person, firm or corporation who shall have secured and be possessed of such license or licenses as required by law, and who shall be otherwise entitled by law to receive the same. Such permits shall be seasonal and for the period during which fish are authorized by law to be taken or used. Any such permit shall be subject to suspension or revocation by the fish and game commission as provided in this act, and the fish and game commission may refuse to issue such permit to any person, firm or corporation whose permit for the next previous season was revoked or suspended, and

provided, further, that the fish and game commission may refuse any such permit to any person, firm or corporation to operate any plant wherein violations of this act were committed or occurred, during the next previous season.

The fish and game commission is hereby vested with full power, authority and jurisdiction to make and enforce such regulations as may be necessary or convenient for carrying out any power, authority or jurisdiction conferred under this act.

SEC. 4. Section 5 of said act is amended to read as follows:

AMENDMENT NUMBER FIVE.

On page 2, line 21, of the printed bill, strike out "in each calendar month sar--", also strike out lines 22 to 24, inclusive, and in line 25, strike out "month", and insert in lieu thereof the following: "during each season of operation fifteen per cent (15%) of the amount of sardines actually received at such canning plant during such season of operation, which season of operation as referred to herein shall be that period of time during which unprocessed sardines are permitted by law to be taken, and used for canning, in the district wherein such canning plant is located; *provided, further*, that it shall be unlawful for any such canner to take or use in a reduction plant in any calendar month sardines in excess of twenty per cent (20%) of the amount of sardines actually received at such canning plant during such calendar month".

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, after line 11, add the following:

"SEC. 5. Section 7a of said act is amended to read as follows:

Sec. 7a. Complaint may be made by any officer charged with the enforcement of the fish and game laws or any person having knowledge of a violation against any person, firm, or corporation violating any of the provisions of this act or violating any of the rules or regulations made by the fish and game commission under the provisions of this act. Said complaints shall be in writing, setting forth the particular offense charged to have been committed, a copy of which shall be filed with the board of fish and game commissioners and a copy served on said offender, together with a notice setting forth the time and place of hearing, which hearing must be held in the county in which said violation is alleged to have been committed. The person, firm or corporation charged must appear and answer either in person or by attorney, and either orally or in writing, within five days after notice having been served. If the person, firm or corporation charged fails to appear or appears and denies the charge, the board of fish and game commissioners or any deputy or employee appointed by said board of fish and game commissioners to take testimony, shall proceed to hear the testimony offered and if the person, firm or corporation so charged is found guilty of the offense charged, the board of fish and game commissioners may revoke or suspend for such period of time as it may see fit, any license issued by any state board or officer and any permit issued by the fish and game commission pursuant to this act, to such person, firm or corporation, to take, catch, kill, buy, sell, can, preserve, reduce or otherwise manufacture fish or fishery products, and no license shall be issued during such period of suspension or revocation to such person, firm or corporation to operate the plant wherein any violation of this act is committed for which any license was revoked or suspended; *provided*, that no act or action of the fish and game commission in issuing or refusing to issue licenses or permits, or suspending or revoking the same, or any other act or action provided for herein, shall be reviewed, compelled, annulled, prohibited or otherwise set aside by order or writ of any court of this state, other than the supreme court or the district court of appeals.

Each member of the board of fish and game commissioners or any of the deputies or employees designated to take testimony at the hearing provided herein shall have power to administer oaths, take affidavits and issue subpoenas for the attendance of witnesses at such hearing.

The superior court in and for the county, or city and county in which any proceeding may be held under the authority of this section, shall have power to compel the attendance of witnesses, the giving of testimony, and the production of papers, as required by any subpoena issued under authority of this section. The fish and game commission, or representative of the commission before whom the testimony is to be given or produced may in the case of refusal of any witness to attend or testify or produce any papers required by such subpoena, report to the superior court in which the proceeding is pending by petition setting forth that due notice has been given of the time and place of the attendance of said witness or the production of said papers and that the witness has been summoned in the manner prescribed in this act and that the witness has failed and refused to attend or produce the papers required by the subpoena before the commission or its representatives, in the case or proceeding named in the notice of time and place of hearing and subpoena, or has refused to answer questions propounded to him in the course of said proceeding, and ask an order of said court to compel the witness to attend and testify or produce said papers before the commission or its representatives.

The court, upon the petition of the commission or its representatives, shall enter an order directing the witness to appear before the court at any time and place to be fixed by the court in such order, the time to be not more than ten days from the

date of the order, and then and there show cause why he has not attended and testified or produced said papers before the commission or its representatives. A copy of said order shall be served upon said witness. If it shall appear to the court that said subpoena was regularly issued by the commission or its representatives the court shall thereupon enter an order that said witness shall appear before the commission or its representatives at the time and place entered in said order, and testify or produce the required papers, and upon failure to obey said witness shall be dealt with as for contempt of court.

The commission or its representatives, or any party designated by the fish and game commission, may in any investigation or hearing before the commission, or its representatives, cause the deposition of witnesses, residing within or without the state, to be taken in the manner prescribed by law for like depositions in civil actions in the superior courts of this state, and to that end may compel the attendance of witnesses and the production of documents and papers."

Bill ordered to print, and re-referred to Committee on Fish and Game.

RUSH ORDER TO PRINTER.

On motion of Senator Young, the Secretary was directed to issue a rush order for printing Senate Bill No. 542.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 420—An act to add a new section to the School Code to be numbered 2.1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents;

Also: Senate Bill No. 439—An act to repeal article I, embracing sections 4.530 to 4.533, both inclusive, article II, embracing sections 4.540 to 4.548, both inclusive, article III, embracing sections 4.560 to 4.566, both inclusive, all of chapter VI of part III of division IV of the School Code, and section 4.570 thereof, all relating to the financial support of high school districts;

Also: Senate Bill No. 440—An act to repeal article III, embracing sections 3.380 and 3.381, of chapter VI of part III of division III of the School Code, relating to agreements of affiliation by junior colleges and junior college departments of high school districts and teachers colleges with the University of California;

Also: Senate Bill No. 441—An act to repeal chapter II, embracing sections 4.410 to 4.434, both inclusive, of part III of division IV of the School Code, relating to taxes for school districts;

Also: Senate Bill No. 442—An act to amend section 3.470 of the School Code and to repeal sections 3.471, 3.472 and 3.473 thereof, relating to cooperative part-time vocational courses in high schools;

Also: Senate Bill No. 843—An act to amend sections 3.306 and 3.309 of the School Code and to repeal section 3.307 thereof, relating to the attendance of pupils in a high school district in which such pupils do not reside;

Also: Senate Bill No. 845—An act to amend section 3.350 of the School Code, relating to junior college courses of study maintained by high school districts; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bills Nos. 420, 439, 440, 441, 442, 843 and 845 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 469—An act to amend sections 3.625, 3.632 and 3.634 of the School Code, relating to visiting teachers for physically handicapped persons;

Also: Assembly Bill No. 470—An act to amend section 3.673 of the School Code and to repeal section 3.674 thereof, relating to vacation schools;

Also: Assembly Bill No. 952—An act to repeal article I, embracing sections 4.460 to 4.468, both inclusive, and article II, embracing sections 4.480 to 4.485, both inclusive, of chapter IV of part III of division IV of the School Code, and to repeal chapter 620 of the Statutes of 1929, entitled "An act to allow the tax for the special building fund of any school district to be levied and expended without the vote of the district," approved May 31, 1929, all relating to special building funds and special school funds of elementary school districts;

Also: Assembly Bill No. 953—An act to repeal article I, embracing sections 3.150 to 3.156, inclusive, of chapter II of part II of division III of the School Code, relating to contracts by governing boards of elementary school districts for the education of children;

Also: Assembly Bill No. 954—An act to amend section 4320 of the School Code, relating to claims or demands against school districts;

Also: Assembly Bill No. 1229—An act to amend sections 3441 and 3620 of the School Code and to repeal sections 3442, 3443, 3444, 3445, 3446 thereof, relating to the furnishing of instruction to physically handicapped children;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Assembly Bills Nos. 469, 470, 952, 953, 954 and 1229 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 525—An act to add a new section to the School Code to be numbered 4353, relating to orders upon school district funds;

Also: Assembly Bill No. 1246—An act to amend section 2620 of the School Code, relating to the holding of elections by union or joint union districts to determine the question of becoming a part of a union or joint union high school district; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Assembly Bills Nos. 525 and 1246 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant in favor of the Secretary of the Senate in the sum of \$300, the same being for postage for the Senate, and the Treasurer is hereby ordered and directed to pay the same.

INGELS, Chairman.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Bush, Clock, Deuel, Duval, Evans, Harper, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Young—23.

NOES—None.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 566, as amended March 19, 1931—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—4; absent—5.

CLEVELAND, Chairman.

Senate Bill No. 566 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 279, as amended March 19, 1931—An act to amend section 718 of the Civil Code, relating to leasing property by municipalities—has had the

same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—4; absent—5.

CLEVELAND, Chairman.

Senate Bill No. 279 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 698—An act to amend sections 3644 and 3646 of the Political Code, relating to taxation of boats and vessels—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—4; absent—5.

CLEVELAND, Chairman.

Senate Bill No. 698 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 287—An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—4; absent—5.

CLEVELAND, Chairman.

Senate Bill No. 287 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 57—An act to add a new section to the Penal Code to be numbered 374½, relating to the discharge of oily waste water from certain classes of vessels—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—4; absent—5.

CLEVELAND, Chairman.

Senate Bill No. 57 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 580—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and offices and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—9; committee vote: Ayes—4; absent—5.

CLEVELAND, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Commerce and Navigation, the following amendments to Senate Bill No. 580 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the title of the printed bill, after the semicolon following the word "therewith", insert the words "providing a procedure for determining the validity of the bonds of said port district;"

AMENDMENT NUMBER TWO.

On page 3, line 32, of the printed bill, strike out the words "remaining harbor trustees", and in place thereof insert the word "governor". and same page, same line, strike out the word "election", and in place thereof insert the word "appointment".

AMENDMENT NUMBER THREE.

On page 8, line 6, of the printed bill, after the word "other", insert the word "like".

AMENDMENT NUMBER FOUR.

On page 8, line 11, of the printed bill, strike out the words "entering or leaving", and insert a period after the word "freight", also same page, strike out all of line 12.

AMENDMENT NUMBER FIVE.

On page 8, line 14, of the printed bill, strike out the words "and terminal", also same page, line 15, strike out the words "storehouses, warehouses, elevators, grain bins, cold", and same page, line 16, strike out the words "storage plants, bunkers", and same page, line 16, after the comma following the word "structures", insert the following words: "to acquire, construct, keep in repair and maintain storehouses, warehouses, elevators, grain bins, cold storage plants and bunkers", and same page, line 20, after the word "other", insert the word "like".

AMENDMENT NUMBER SIX.

On page 9 of the printed bill, strike out all of lines 2, 3, 4 and 5, and same page, line 6, strike out the words "of California", also, same page, line 7, strike out the words "at least ten days before they become", and same page, line 8, strike out the words "effective by their own terms", and same page, line 14, strike out the words "All fines and forfeitures collected upon conviction or", and also same page, strike out all of lines 15, 16, 17, 18 and 19.

AMENDMENT NUMBER SEVEN.

On page 9, line 41, of the printed bill, strike out the word "exploit", and in place thereof insert the word "promote".

AMENDMENT NUMBER EIGHT.

On page 12, line 17, of the printed bill, strike out the word "lighting", and in place thereof insert the word "fighting".

AMENDMENT NUMBER NINE.

On page 13, line 13, of the printed bill, before the word "cost", insert the word "historical".

AMENDMENT NUMBER TEN.

On page 13, line 15, of the printed bill, following the word "lease", insert the following words: "calculated at the rate of three per cent per annum upon said cost".

AMENDMENT NUMBER ELEVEN.

On page 13, line 21, of the printed bill, after the word "storage", strike out period and substitute a comma, and add the words "for the reception and storage of merchandise entering or to leave the port by water, including in such use the right on such leased premises to receive, store, salvage, protect, cool, break up, distribute, sort, grade, clean, assemble, recondition, ship and prepare for shipment all classes of merchandise entering or to leave the port by water, but not including any right to conduct a canning, packing, slaughtering or manufacturing business on such leased premises".

AMENDMENT NUMBER TWELVE.

On page 13, line 44, of the printed bill, strike out the word "desired", and in place thereof insert the word "desire", also same page, line 45, strike out the words "at least five years", and in place thereof insert the words "such a period of time and", and same page, line 46, after the word "board", insert the words "not exceeding five years".

AMENDMENT NUMBER THIRTEEN.

On page 17, between lines 46 and 47, of the printed bill, insert the words "And also any other real property owned by the state, jurisdiction, possession and control

over which may be, at the time of the passage of this act, vested in the state harbor board by any statute of the state".

AMENDMENT NUMBER FOURTEEN.

On page 19, line 4, of the printed bill, after the word "for", insert the words "city and".

AMENDMENT NUMBER FIFTEEN.

On page 19, line 39, of the printed bill, strike out the first word "in", and in place thereof insert the word "to".

AMENDMENT NUMBER SIXTEEN.

On page 27, line 21, of the printed bill, after the word "employees", insert the words "of the state harbor board".

AMENDMENT NUMBER SEVENTEEN.

On page 28, line 20, of the printed bill, before the word "all", insert the words "or any single and complete piece of work whose cost does not exceed the sum of three thousand dollars".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 7, of the printed bill, strike out "nine", and in place thereof insert "five"; also same page, line 11, strike out "nine", and in place thereof insert "five"; also same page, line 25, strike out "one year", and in place thereof insert "two years"; same page, same line, strike out "two years", and in place thereof insert "three years"; also same page, same line, strike out the last word "two", in the line, and in place thereof insert "one"; also same page, line 26, strike out the first word "three", and in place thereof insert the word "four"; also same page, same line, strike out semicolon following the word "years", and in place thereof insert a period, and strike out the words "and three for a period of four", and also same page, line 27, strike out the word "years".

AMENDMENT NUMBER NINETEEN.

On page 3, line 50, of the printed bill, after the word "board", insert the following words: "except as in this act otherwise provided"; page 4, line 1, strike out the words "secretary, a treasurer", and in place thereof insert the words "superintendent of the Belt Line Railroad"; and same page, line 3, after the word "board", insert the following words: "except as in this act otherwise provided"; and same page, line 4, after the word "employ", insert the words "a secretary, a treasurer,"; and page 27, line 3, strike out the words "secretary, treasurer", and in place thereof insert the words "the superintendent of the Belt Line Railroad"; also same page, line 18, strike out the words "secretary, treasurer", and in place thereof insert the words "superintendent of the Belt Line Railroad"; also same page, line 19, before "attorney", insert "or"; and same page, line 19, after "attorney", insert a period, and strike out the balance of the line; also page 27, strike out line 20.

AMENDMENT NUMBER TWENTY.

On page 4, line 21, of the printed bill, strike out "three", and in place thereof insert "two".

AMENDMENT NUMBER TWENTY-ONE.

On page 4, line 26, of the printed bill, after the word "trustee", insert the words "other than the president"; and same page, same line, strike out the words "a regular fee of", and in place thereof insert the words "an annual salary of three thousand dollars and the president shall receive an annual salary of five thousand dollars"; and same page, strike out line 27; and same page, line 28, strike out the words "board actually attended by him"; and same page, line 36, strike out the words "The total compensa-"; and same page, strike out lines 37 and 38.

Bill ordered to print, and re-referred to Committee on Commerce and Navigation.

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, March 27, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 577, as amended March 16, 1931—An act defining the obligations of any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith—has had the same under consideration, and respectfully reports the

same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—8; absent—3.

CARTER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Public Utilities, the following amendment to Senate Bill No. 577 was read and adopted:

AMENDMENT NUMBER ONE.

On page 3, line 38, of the printed bill, as amended March 16, 1931, strike out the period, and insert semicolon and the following: "Provided further, that nothing in this act shall be taken to excuse any person, company, association or corporation owning or operating any such track or tracks mentioned in this act, from complying with the provisions of any franchise or permit heretofore granted to it."

Bill ordered to print, and re-referred to Committee on Public Utilities.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 416, as amended March 20, 1931—An act to provide for the standardization of cement-concrete pipe sold for irrigation purposes—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to this committee.

Committee membership—11; committee vote: Ayes—8; absent—3.

CARTER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Public Utilities, the following amendments to Senate Bill No. 416 were read and adopted:

AMENDMENT NUMBER ONE.

On page 5, line 39, of the printed bill, after the word "that", insert the following: "marks as California standard cement-concrete irrigation pipe as herein provided, or".

AMENDMENT NUMBER TWO.

On page 5, lines 41 and 42, of the printed bill, strike out the following: "intended to be used for the conveyance of irrigation water".

Bill ordered to print, and re-referred to Committee on Public Utilities.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 655—An act to add a new section to the Political Code to be numbered 2545a, relating to the compensation of employees of railroads controlled by the Board of State Harbor Commissioners—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CARTER, Chairman.

Assembly Bill No. 655 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 443—An act to amend section 1 of and to add a new section to be numbered 4 to chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, and adopting those provisions, not inconsistent herewith, of an act entitled, 'An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and disposition of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith,'" relating to the date at which the amendments shall go into effect and imposing certain conditions thereto—has had the same under consideration, and respectfully reports the same back with amend-

ments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—8; absent—5.

NELSON, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Revenue and Taxation, the following amendments to Senate Bill No. 443 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, beginning in said line, strike out "and to add a new section to be numbered 4 to chapter 267, statutes of 1923", and insert in lieu thereof the following: "of chapter 795, statutes of 1927".

AMENDMENT NUMBER TWO.

In line 12 of the title of the printed bill, after the comma in said line, insert the following: "approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927, as amended, and to repeal sections 2653 and 2654 of the Political Code."

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "267, statutes of 1923", and insert in lieu thereof "795, statutes 1927".

AMENDMENT NUMBER FOUR.

On page 1, line 11, of the printed bill, after the word "herewith", strike out the quotation marks and insert in lieu thereof the following: "approved May 30, 1923, as amended and approved May 23, 1925," approved May 26, 1927, as amended".

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, beginning in said line strike out the following: "as amended by chapter 359, statutes of 1925".

AMENDMENT NUMBER SIX.

On page 2, line 27, of the printed bill, after the period in said line insert the following:

"The payment to the counties to be based upon the weighted mileage of county roads in each county. It is hereby made the duty of the state highway commission to determine the weighted mileage of county roads in accordance with the provisions of this act and to certify to the state controller on or before the first day of May, 1932, the weighted mileage as so determined for every county of the state.

Determination of weighted mileage. The state highway commission shall classify the county roads of the state on the basis of topographical nature and traffic demands, and shall determine the number of miles of each class by county, and shall assign to each class a weighted mileage depending on average cost of construction, maintenance and depreciation of roads within the class. The weighted mileage for each county shall be determined by multiplying the number of miles of each class within the county by the weight given to each mile of such class.

Semiannual distribution to the counties. The appropriation to be made to the counties under this act shall be apportioned among the several counties of the state in the proportion that the weighted mileage of county roads within each county bears to the total weighted mileage of county roads within the state.

At the time of making his report to the state controller as provided for in section 13 of said "original act," the treasurer shall report as to the gross amount received under the provisions of this act and the net amount remaining for allocation to the counties after payment of refunds and the allocation to the "State highway construction fund" as hereinbefore provided, and thereupon the controller shall draw his warrant upon the "Motor vehicle fuel fund" in favor of each county in the state for the amount to which each county is entitled, such payments to counties to be in addition to those provided for in section 13 of said "original act."

Appropriations to the counties under the provisions of this act shall be paid into the special road improvement funds of the counties as provided in the "original act," and the use of such funds shall remain subject to all conditions and restrictions imposed by said "original act."

AMENDMENT NUMBER SEVEN.

On page 2, line 28, of the printed bill, strike out all of lines 28 to 37, inclusive, and insert in lieu thereof the following:

"Sec. 2. Sections 2653 and 2654 of the Political Code are hereby repealed.

SEC. 3. This act shall go into effect upon the thirtieth day of September, 1931.

SEC. 4. It is the intent of the Legislature that the proceeds from this tax replace the county ad valorem tax now levied for the financing of county roads, and such ad valorem tax shall not be levied after this act takes effect."

Bill ordered to print, and re-referred to Committee on Revenue and Taxation.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, March 27, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California to amend the constitution of said State by amending section 7½ of article XI, relating to charters of counties and the election of officers thereunder—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Senate Constitutional Amendment No. 8 ordered on file.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 361—An act to amend section 19x23 of the Juvenile Court Law, relating to probation officers in counties of the twenty-third class;

Also: Assembly Bill No. 362—An act to amend section 4252 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-third class;

Also: Assembly Bill No. 1321—An act to amend section 2322x23 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-third class;

Also: Assembly Bill No. 1322—An act to add a new section to be numbered 9x23 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing an act entitled 'An act to provide county library systems, approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the twenty-third class;

Also: Assembly Bill No. 1804—An act to amend section 19x21 of the Juvenile Court Law, relating to probation officers in counties of the fifteenth class;

Also: Assembly Bill No. 1824—An act to amend section 2322x21 of the Political Code, relating to the office of agricultural commissioner in counties of the fifteenth class;

Also: Assembly Bill No. 1792—An act to amend section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifteenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Assembly Bills Nos. 361, 362, 1321, 1322, 1804, 1824 and 1792 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1320—An act to amend section 16x23 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-third class—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Assembly Bill No. 1320 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 869—An act to amend section 2322x22 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-second class;

Also: Senate Bill No. 874—An act to amend section 2322x36 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-sixth class;

Also: Senate Bill No. 876—An act to amend section 9x36 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to librarians in counties of the thirty-sixth class;

Also: Senate Bill No. 877—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class;

Also: Senate Bill No. 878—An act to amend section 16x36 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-sixth class;

Also: Senate Bill No. 880—An act to amend section 2322x42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class;

Also: Senate Bill No. 881—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class;

Also: Senate Bill No. 882—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class;

Also: Senate Bill No. 883—An act to amend section 16x42 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-second class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Senate Bills Nos. 869, 874, 876, 877, 878, 880, 881, 882 and 883 ordered on file for second reading.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Evans:

SENATE CHAMBER, SACRAMENTO, March 27, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 1980 of the Civil Code, relating to contracts for personal service.

Request referred to Committee on Rules.

RESOLUTION.

The following resolution was offered:

By Senator Inman:

SENATE RESOLUTION.

WHEREAS, The Workmen's Compensation, Insurance, and Safety Act represents a very forward stride in the relations between employer and employee and is an attempt to place upon the various industries the reasonable cost to society of the human injuries suffered in carrying on those industries, and,

WHEREAS, In the case of many industries, the cost of maintaining this system has been increasing by leaps and bounds until it has assumed proportions which make it an unbearable burden upon the affected industries, and,

WHEREAS, The possibility of continuing the system must necessarily be dependent upon its cost remaining at a level which does not unduly burden the various industries, and,

WHEREAS, The facts with respect to the ever-recurring increases in premium rates are essential to a proper consideration and solution of the problem; now, therefore, be it

Resolved, By the Senate, that a special committee of five members of the Senate be appointed by the President thereof to investigate generally into the present system of rates, charges, classifications, coverage and policy forms of insurance covering the industries of this State, to take such action in relation to such investigation as it may deem necessary, and to report the proceedings, facts found and conclusions formed in such investigation, together with such recommendations as the committee deems proper to the Senate at the fiftieth session of the Legislature; and be it further

Resolved, That said committee shall proceed to organize by the election of one of its members as chairman and by the election of a secretary, and shall proceed with said investigation in such manner as may be determined by the committee; and be it further

Resolved, That each department, board, commission and officer of the State of California, whenever requested to do so by the committee, shall furnish the said committee such assistance as it may require; and be it further

Resolved. That said committee is hereby authorized and empowered to do any and all things necessary to make a full and complete investigation of the matters and subjects hereinbefore recited, and of the matters and subjects which it may deem necessary to investigate with relation to the matters and subjects herein enumerated or recited and to that end to employ all necessary assistants; and be it further

Resolved. That said committee is hereby authorized and empowered to summon witnesses, require the production of persons, books, accounts, agreements, minutes of meetings, documents, records, and papers of every kind whatsoever which it may deem necessary to so investigate, to issue subpoenas to compel the attendance of witnesses and to procure testimony. Each of the members of said committee is hereby authorized to administer oaths, and all the provisions of article VIII of chapter 2, title I, part III of the Political Code of the State, relative to the attendance and assemblage of witnesses before the Legislature and committees thereof, shall apply to the committee appointed under this resolution. The said committee is hereby given leave to sit during the session of the Legislature, during the recess thereof, and during the interval between sessions thereof at any place in the State as said committee shall from time to time determine; and be it further

Resolved. That the sum of \$5,000 or so much thereof as may be necessary, be and is hereby appropriated for the purpose of defraying the expenses of said committee and said investigation, said sum to be paid from the contingent fund of the Senate, and the State Controller is hereby authorized and directed to draw his warrant in favor of the person entitled thereto for such expenditures as may be certified to him from time to time by the chairman of said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution referred to Committee on Insurance.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 380—An act to add a new section to be numbered 4½ to chapter 397, Statutes 1911, entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for the establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," relating to the laying of water pipes and mains in public streets in cases where the water is supplied by a public agency other than the city ordering the improvement.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 425—An act to add a new section to be numbered 7½, to chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," as amended, approved May 23, 1925, by adding thereto a new section to be designated as section 7½, relating to pensions for marshals and deputy marshals of cities of the first and one-half class.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 682—An act to amend section 374*b* of the Penal Code and to add a new section thereto to be numbered section 375, relating to the deposit of nauseous, offensive or injurious substances in places of public assemblage or the manufacture thereof with the intent so to deposit.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, after the word "imprisonment", strike out the words "in the state prison or".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 368—An act to amend section 3817 of the Political Code, relating to the redemption of property sold for taxes.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 28, of the printed bill, as amended in Senate March 19, 1931, strike out the word "A", and insert in lieu thereof the following: "The county auditor shall, upon request, issue to the county treasurer his certificate showing the amounts necessary to be paid as hereinabove provided, and upon payment thereof a".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in oil wells by providing for the location of wells in relation to the outer boundary lines of the property, streets, roads and highways and other wells.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, as amended March 20, 1931, after the word "in", insert the word "petroleum".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended March 20, 1931, after the word "for", insert the word "petroleum".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, as amended March 20, 1931, after the word "dues", insert the word "petroleum".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, line 8, of the printed bill, as amended March 20, 1931, after the word "producing", insert the word "petroleum".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 11, of the printed bill, as amended March 20, 1931, after the word "single", insert the word "petroleum".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 5, of the printed bill, as amended March 20, 1931, after the word "produce", insert the word "petroleum".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 11, of the printed bill, after the word "commenced", strike out the period, and insert in lieu thereof a comma, and add the following: "*and provided*, that if the condition of any well makes the deepening thereof impractical, a new well may be drilled contiguous to the old well after the proper abandonment of the old well."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following constitutional amendment was offered:

By Senator McKinley: Senate Constitutional Amendment No. 24—A resolution to propose to the people of the State of California, an amendment to section 31, article IV, of the constitution of said State, relating to certain payments by the city of Glendale.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 26—An act to provide for the payment of the highest prevailing rate of wages on public work, whether the work is done by contract or otherwise, and double pay for legal holiday work and such overtime work as is permitted by law, providing for the ascertainment of such highest prevailing rate by the officer or public body awarding the contract and its insertion in the contract and bids for the contract, providing for the keeping of records of the wages paid all workers engaged in public work and the inspection of such records by the proper public officials, providing for a forfeiture for each calendar day, or portion thereof, any worker is paid less than the said rate and for a stipulation to this effect in the contract, and providing other penalties for violation of the provisions thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 26 passed by the following vote:

AYES—Senators Breed, Clock, Crittenden, Deuel, Duval, Evans, Harper, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 865—An act to amend section 4270 of the Political Code, relating to compensation of county and township officers in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 865 passed by the following vote:

AYES—Senators Breed, Bush, Clock, Deuel, Duval, Evans, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Tubbs, Wag, Williams, and Young—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 867—An act to amend section 19x41 of the Juvenile Court Law, relating to probation officers in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 867 passed by the following vote:

AYES—Senators Breed, Bush, Clock, Deuel, Duval, Evans, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Wag, Williams, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 866—An act to amend section 2322x41 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 866 passed by the following vote:

AYES—Senators Breed, Bush, Clock, Duval, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Wag, Williams, and Young—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 863—An act to amend section 16x41 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 863 passed by the following vote:

AYES—Senators Breed, Bush, Clock, Deuel, Duval, Evans, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Wag, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 417—An act to amend section 4 of chapter 378 of the Statutes of 1915, entitled "An act to provide a central bureau for the preservation of records of marriages, births, and deaths, and to provide for the registration of all births and deaths, the establishment of registration districts under the superintendence of the State Bureau of Vital

Statistics; the issuance and registration of burial and disinterment permits and certificates of births and deaths; the appointment of State and local registrars of vital statistics; to prescribe the powers and duties of registrars, coroners, physicians, undertakers, sextons, and other persons in relation to such registration and to fix penalties for violation of this act; to create the officers of State and local registrars of vital statistics, to provide for the salary and fees of same; to repeal all acts and parts in conflict herewith," approved May 19, 1915, as amended, relating to who shall be ex officio local registrars.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 417 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Clock, Deuel, Duval, Evans, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 328—An act to amend section 5 of chapter 250, Statutes of 1923, entitled "An act authorizing the creation, government, maintenance and dissolution of county sanitation districts, the annexation of contiguous territory to such districts, the issuance of bonds by such districts and the powers thereof," approved May 29, 1923, as amended, by providing for the sale and disposition by such districts of water, sewage effluent, fertilizer and other by-products resulting from the operation of sewage plants, and for the conservation of water.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 328 passed by the following vote:

AYES—Senators Breed, Bush, Clock, Deuel, Duval, Evans, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 558—An act to amend section 29 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that in prosecutions for violations of said act under this section, the burden of proof shall rest upon the defendant to show compliance with said act.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 558 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 387—An act to amend sections 1357, 1358, 1359, 1360, 1361 and 1362 of the Political Code, relating to absent voters—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—10; absent—1.

FELLOM, Chairman.

Senate Bill No. 387 ordered on file for second reading.

MOTION.

Senator Slater moved, seconded by Senator McKinley, that when the Senate adjourns this day, it do so out of respect to the memory of the late Judge John W. Ballard, former State Senator from Los Angeles County.

Motion unanimously carried by a rising vote of the Senate.

REMARKS OF SENATOR SLATER.

Senator Slater addressed the Senate as follows:

Mr. President and Gentlemen of the Senate.

The older members of the Senate will certainly regret to learn of the passing of a former colleague, Senator John W. Ballard of Los Angeles, who was a member of the State Senate for two terms.

Many of us remember with much pleasure our association with Judge Ballard while he was a member of this body. We highly appreciated him.

Judge Ballard was a gentleman of the old school, a man of scholarly attainments; forceful in debate and unswerving in his loyalty to purpose.

Judge Ballard's long and useful life ended at his home this week and he left behind him a pathway strewn with shining remembrances and bright inscriptions. He was the first district attorney and the second superior judge in Orange County. He came to this State in 1843 and for many years practiced his profession as a lawyer in Los Angeles.

As a token of our esteem and as a tribute to his long and distinguished career, I desire to move that when the Senate adjourns today, it do so out of respect to our former colleague.

REMARKS BY SENATOR SHARKEY.

Senator Sharkey addressed the Senate as follows:

Mr. President and Gentlemen of the Senate.

I desire to say a few words at this time because of my very sincere appreciation of Judge Ballard, and his service as a member of this Senate.

When I first became a member of this House I was thrown in very close contact with Judge Ballard, and I have a very high regard for his splendid capabilities, and for his many manly qualities.

Judge Ballard was a gentleman of the old school, a distinguished orator and member of the legal profession.

I sincerely regret to learn of his passing, and I desire to join with the members of the Senate in expressing regret to the members of his family.

ADJOURNMENT.

At twelve o'clock and forty-five minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned out of respect to the memory of the late Judge John W. Ballard, former State Senator from Los Angeles, until eleven o'clock a.m., Monday, March 30, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, March 30, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, Williams, and Young—35.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, March 27, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Earl Ramey, Mr. and Mrs. Frank Aikins and Ruth Knoche of Marysville, California.

On request of Senator Rochester, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Fire Chief R. J. Scott and Mrs. Scott, and Fire Commissioner Rex W. Laws of Los Angeles, Mrs. Jessie Lipsey and Mrs. Perle Harrison of Long Beach.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Margaret Nelson, daughter of Senator Nelson.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to G. Lansing Hurd, secretary of Chamber of Commerce of Santa Rosa.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. H. King of Sebastopol, past grand master, Grand Council of Masons.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to James W. Ramage, county treasurer, and Olney Pedigo, county auditor of Sonoma County, also Mr. and Mrs. Bartlett of Santa Rosa.

On request of Senator Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Lieutenant Charles L. Hemphill of the Oakland Police Department, Dr. R. C. Bitterman, president, East Bay Safety Council, Oakland, and Master Wilfred Bitterman of Oakland.

COMMUNICATION.

The following communication was received, and ordered printed in the Journal:

By Senator McKinley:

LOS ANGELES, CALIFORNIA, March 30, 1931.

*Hon. J. W. McKinley,
State Senator,
Sacramento, California.*

Board of Supervisors endorse original McKinley Assembly Reapportionment Bill as being fair to southern California.

BOARD OF SUPERVISORS, LOS ANGELES COUNTY.

MAME B. BEATTY, Chief Clerk.

RESOLUTION.

The following resolution was offered:

By Senators Maloney and Slater:

WHEREAS, The practice among Christians of setting apart the hours from twelve to three o'clock on Good Friday for devotion having obtained so largely in California that it would seem but right not only to favor such hallowed practice, but also to give opportunity to all who desire to recall during these hours the mystery which Christians celebrate; and

WHEREAS, The merchants and business men, in recognition of the ever-increasing observance by all people of the three hours' devotion on Good Friday, have signified their intention of closing their doors to business during these hours; now, therefore, be it

Resolved, That it is the sense of the Senate of the State of California that recess be taken from twelve to three o'clock p.m. on Friday, April 3, 1931, to enable all who wish to participate in the exercises which mark these hours so notable in the world's history.

Resolution read, and on motion of Senator Slater adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1626—An act to validate proceedings had and taken by municipalities under that certain act entitled "An act to amend an act entitled 'An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of annexed territory,' which became a law without the Governor's approval March 2, 1899, by amending section 1 thereof, relating to annexation of uninhabited territory," approved May 23, 1929. (In effect August 14, 1929);

Also: Assembly Bill No. 597—An act to regulate the importation and keeping of wild species of birds and animals and providing a penalty for the violation of the provisions hereof;

Also: Assembly Bill No. 534—An act to amend section 103½ of the Code of Civil Procedure, relating to clerks of justices' courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes, and appointments, salaries and duties of same;

Also: Assembly Bill No. 268—An act to amend section 2322r34 of the Political Code, relating to the salary and compensation of the agricultural commissioner in counties of the thirty-fourth class;

Also: Assembly Bill No. 294—An act to amend section 19r17 of the Juvenile Court Law, relating to the salary of the probation officer and deputy, in counties of the seventeenth class;

Also: Assembly Bill No. 1417—An act to amend section 19r24 of the Juvenile Court Law, as relating to salaries of probation officers in counties of the twenty-fourth class;

Also: Assembly Bill No. 1556—An act to amend section 19r31 of the Juvenile Court Law, relating to probation officers in counties of the thirty-first class.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1626 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 597 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 534 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 268, 294, 1417 and 1556 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1558—An act to amend section 16 α 31 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-first class;

Also: Assembly Bill No. 1559—An act to amend section 19 α 34 of the Juvenile Court Law, relating to probation officers in counties of the thirty-fourth class;

Also: Assembly Bill No. 1561—An act to amend section 16 α 34, Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-fourth class;

Also: Assembly Bill No. 1595—An act to amend section 16 α 45, Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-fifth class;

Also: Assembly Bill No. 1177—An act to amend sections 2, 3, 4, 6, 7, 8, 12, 18, 20, and 21 of the General Dairy Law of California, approved June 15, 1923, as amended;

Also: Assembly Bill No. 615—An act to amend chapter 801, Statutes of 1929, entitled "An act regulating the practice of civil engineering," approved June 14, 1929, by adding a new section to said act known as section 1b limiting the use of the title "structural engineer" and providing a method whereby civil engineers must qualify before using the title of structural engineer.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1558, 1559, 1561 and 1595 read first time, and referred to Committee on County Government.

Assembly Bill No. 1177 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 615 read first time, and referred to Committee on Governmental Efficiency.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 27, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 11—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Concurrent Resolution No. 11 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 26, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 181—An act to amend sections 52 and 67 of the California Irrigation District Act, relating to the redemption or purchase of bonds and payment of interest, and to the creation of funds—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 181—An act to amend sections 52 and 67 of the California Irrigation District Act, relating to the redemption or purchase of bonds and payment of interest, and to the creation of funds.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER
ONE HUNDRED EIGHTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 4, of the title of the printed bill, as amended in Senate March 6, 1931, strike out the period and insert in lieu thereof the following: "and declaring the urgency thereof."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended in Senate March 6, 1931, after line 9, insert the following:

"Sec. 3. This act is hereby declared to be an urgency measure, deemed necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and as such it shall take effect immediately.

The following is a statement of the facts constituting such urgency:

Under the continuance of the conditions brought on by the agricultural depression many irrigation districts in this state have experienced an increased delinquency in the payment of assessments, which has brought about the necessity for an eventual refunding of their bonded obligations. Under the law as it at present exists a bond fund of an irrigation district may be exhausted by the presentation of maturing bonds, whereas the fund was created by the assessment for paying both principal and interest. This situation has brought about a condition in some of these districts where the land owner, unable to meet the full obligation of principal and interest and seeing himself on a complete default with danger of losing his home and lands, refuses to pay any of the assessment levied upon his land. This brings about a condition of breakdown in the functioning of the district, with the failure to supply water for domestic, irrigation and other purposes, detrimental in the extreme to the peace, health and safety of the communities involved. It is believed that through the passage of this bill before the semiannual period for payment of interest, on July 1st, districts will be enabled to continue their efforts toward refinancing without a breakdown of their functions as irrigation districts."

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 181?

The roll was called, and Assembly amendments to Senate Bill No. 181 concurred in by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagdy, and Williams—34.

NOES—None.

Senate Bill No. 181 ordered to print, and enrollment.

REPORTS OF STANDING COMMITTEES.

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 30, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Evans to introduce a bill entitled: "An act to amend section 1980 of the Civil Code, relating to contracts for personal service"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted."

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagdy, Williams, and Young—36.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Evans: Senate Bill No. 937—An act to amend section 1980 of the Civil Code, relating to contracts for personal service.

Senate Bill No. 937 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 30, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 48—An act to add a new section to the Political Code, to be numbered 3475, relating to the effect of sales of land for delinquent assessments, where the land is also situated in one or more districts or public corporations;

Also: Senate Bill No. 183—An act to amend the Civil Code by adding a new section to be numbered 356a, relating to the employment of attorneys by corporations and the practice of law by corporations;

Also: Senate Bill No. 184—An act to amend sections 1279 and 1298 of the Penal Code, relating to bail;

Also: Senate Bill No. 272—An act to add a new section to be numbered 18a, chapter 25, Statutes of 1911, extra session, entitled the Reclamation Board Act, relating to claims of parties against the Sacramento and San Joaquin Drainage District for moneys advanced for work on the flood control project;

Also: Senate Bill No. 274—An act to amend the Political Code by amending sections 3456, 3460, 3462, 3465, 3466, and 3480, relating to reclamation districts and adding three new sections thereto, to wit: A new section to be numbered 3466a, relating to sales and leasing of lands sold and held by reclamation districts or county treasurers as trustees; a new section to be numbered 3480b providing means whereby two or more issues of bonds of a reclamation district with outstanding warrants thereof may be refunded with a single issue of bonds based upon a single assessment; and a new section to be numbered 3457b, relating to payment of warrants of reclamation districts and the stopping of interest thereon;

Also: Senate Bill No. 312—An act to amend the California Irrigation District Act by amending sections 35, 37, 38, 41 and 78 thereof, relating to assessments and exclusion of land, and by adding two new sections thereto to be numbered 35b and 35c, relating to assessments;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or irrigation ditches;

Also: Senate Bill No. 367—An act to amend section 37a of chapter 25, Statutes 1911, entitled the Reclamation Board Act, approved December 24, 1911, as amended, relating to the application of moneys released, reimbursed, or appropriated under and pursuant to chapter 176, California Statutes of 1925 and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929;

Also: Senate Bill No. 371—An act to amend sections 2 and 13 of chapter 774, Statutes of 1927, entitled Sacramento and San Joaquin Drainage District Refunding Act, approved May 26, 1927, relating to the maintenance and operation of certain flood control project works and to the payment of assessments;

Also: Senate Bill No. 380—An act to add a new section to be numbered 44 to chapter 397, Statutes of 1911, entitled "An act to provide for work in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities, and upon property and rights of way owned by municipalities or of which a municipality has possession and the right of use under the provisions of section 14 of article I of the constitution, and for establishing and changing the grades of any such streets, avenues, lanes, alleys, courts, places, sidewalks, properties or rights of way, and providing for the issuance and payment of street improvement bonds to represent certain assessments for the cost thereof, and providing a method for the payment of such bonds," relating to the laying of water pipes and mains in public streets in cases where the water is supplied by a public agency other than the city ordering the improvement;

Also: Senate Bill No. 410—An act to amend section 364a of the Political Code, relating to the creation of a Division of Immigration and Housing in the Department of Industrial Relations;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 425—An act to add a new section to be numbered 7½ to chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," relating to pensions for marshals and deputy marshals of cities of the first and one-half class;

Also: Senate Bill No. 437—An act to amend sections 4.383 and 4.384 of the School Code;

Also: Senate Bill No. 446—An act to prevent fraud and deception and to protect the general welfare by establishing standards and standard containers for certain fruits, nuts and vegetables; and to that end regulating the sale, offer for sale, shipment, transportation, loading, packing, marking and disposal of fruits, nuts and vegetables; and repealing certain acts therein named;

Also: Senate Bill No. 530—An act authorizing a contract between the State California and the state of Arizona for the joint purchase of that certain highway bridge across the Colorado River, at or near Ehrenburg, Arizona, declaring the urgency thereof, and providing that this act shall take effect immediately;

Also: Senate Bill No. 552—An act to amend section 11 of chapter 176, Laws of 1913, as amended by chapter 762, Laws of 1927, by providing that fees collected by the Industrial Accident Commission may be expended by said commission;

Also: Senate Bill No. 553—An act to amend section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, with respect to limitations of time for instituting proceedings for the collection from an employer of additional compensation;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 554—An act to amend section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by permitting decision on rehearing after 245 weeks from date of the injury;

Also: Senate Bill No. 557—An act to amend section 64 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that each party to a proceeding shall have the separate right to petition for a rehearing;

Also: Senate Bill No. 639—An act to amend section 464 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosives;

Also: Senate Bill No. 644—An act to amend section 182 of the Penal Code, relating to criminal conspiracy;

Also: Senate Bill No. 682—An act to amend section 374b of the Penal Code and to add a new section thereto to be numbered section 375, relating to the deposit of nauseous, offensive or injurious substances in places of public assemblage or the manufacture thereof with the intent so to deposit;

Also: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California to amend the constitution of said State by amending section 7½ of article XI, relating to charters of counties and the election of officers thereunder;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 123—An act to amend section 4250 and to repeal section 4249a of the Political Code, relating to the salaries of the county officers of counties of the twenty-first class;

Also: Senate Bill No. 179—An act to amend section 2322, 21 of the Political Code, relating to the county agricultural commissioner, his deputies, inspectors and clerks in counties of the twenty-first class;

Also: Senate Bill No. 290—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended;

Also: Senate Bill No. 522—An act to amend sections 3692 and 3693 of the Political Code, relating to powers and duties of the State Board of Equalization: And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 420—An act to add a new section to the School Code, to be numbered 2.1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 439—An act to repeal article I, embracing sections 4.530 to 4.533, both inclusive, article II, embracing sections 4.540 to 4.548, both inclusive, article III, embracing sections 4.560 to 4.566, both inclusive, all of chapter VI of part III of division IV of the School Code, and section 4.570 thereof, all relating to the financial support of high school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 440—An act to repeal article III, embracing sections 3.380 and 3.381, of chapter VI of part III of division III of the School Code, relating to agreements of affiliation by junior colleges and junior college departments of high school districts and teachers colleges with the University of California.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 441—An act to repeal chapter II, embracing sections 4.410 to 4.434, both inclusive, of part III of division IV of the School Code, relating to taxes for school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 442—An act to amend section 3.470 of the School Code and to repeal sections 3.471, 3.472 and 3.473 thereof, relating to cooperative part-time vocational courses in high schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 843—An act to amend sections 3.306 and 3.309 of the School Code and to repeal section 3.307 thereof, relating to the attendance of pupils in a high school district in which such pupils do not reside.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 845—An act to amend section 3.350 of the School Code, relating to junior college courses of study maintained by high school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 566—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 279—An act to amend section 718 of the Civil Code, relating to leasing property by municipalities.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 698—An act to amend sections 3644 and 3646 of the Political Code, relating to taxation of boats and vessels.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 287—An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 3 of the title, strike out the period after the word "hire", and add the following: "and providing a penalty for violation thereof".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after the period, following the figure 1, strike out all of lines 1. to and including line 26, and on page 2, strike out all of lines 1, to and including line 33, and in lieu thereof insert the following:

"That before any boat of fifteen tons or less gross capacity, carrying passengers for hire, and propelled by machinery, may operate within the limits of the State of California, a permit shall be obtained from the industrial accident commission of the State of California. Before the issuance of such permit, and at least annually thereafter, the industrial accident commission of the State of California shall make or cause to be made an inspection of the hull, machinery and equipment and shall satisfy itself that every such vessel so submitted to its inspection is of a structure and so equipped as to be suitable for the service in which it is to be employed; has suitable accommodations for passengers and is in a condition to warrant the belief that it may be used in navigation with safety to life. Said permit shall be posted on said boat, in such place and manner as the industrial accident commission of the State of California may order.

Such permit shall specify:

- (1) Number of passengers that may be carried by said boat;
- (2) Seating capacity per passenger;
- (3) Deck space for each passenger for (a) inland waters, (b) exposed waters, and (c) where passengers are to engage in fishing.

The industrial accident commission of the State of California shall make such regulation as to strength and ventilation of fuel tanks, pumping of the bilge, requirements as to electric installation and such further rules as it shall deem necessary for safety of passengers and crew.

The fee for such permit shall be at the rate of one dollar for each gross ton, with a minimum charge of five dollars.

SEC. 2. The industrial accident commission of the State of California may at its discretion require registration before embarking on any boat subject to the authority of this act, of the names and addresses of all passengers and said passenger list shall not be taken aboard but shall be left ashore at such depository as may be approved by the industrial accident commission of the State of California.

SEC. 3. Any person, firm or corporation who individually or acting as officer, agent or employee of such firm or corporation, or other person who operates or causes to be operated any boat of fifteen or less tons gross capacity, carrying passengers for hire and propelled by machinery, operating in the State of California, without first obtaining a permit in accordance with section 1 of this act, or who having obtained such permit violates or allows to be violated any of the terms thereof or any of the provisions of this act or any of the rules or regulations promulgated by the industrial accident commission of the State of California under the authority granted by this act, shall be guilty of a misdemeanor punishable by a fine of not less than one hundred dollars nor more than five hundred dollars, or imprisonment for not less than thirty days or more than six months, or both.

In any prosecution under this section, it shall be deemed prima facie evidence of a violation of any such safety provision that the accused has failed or refused to comply with an order, rule, regulation or requirement of the commission relative thereto and the burden of proof shall rest upon the accused to show that he has complied with such provision.

SEC. 4. Every violation of the provisions contained in any of the previous sections of this act, or any part or portion thereof, by any person, firm or corporation is a separate and distinct offense, and, in the case of a continuing violation thereof, each day's continuance thereof shall constitute a separate and distinct offense.

SEC. 5. Fees charged and collected under section 1 of this act shall be paid into the funds of the commission to be used in carrying out the provisions of this act.

This act shall not apply to any boat the property of a corporation or person operating under a certificate of public convenience and necessity issued by the railroad commission."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 57—An act to add a new section to the Penal Code, to be numbered 374½, relating to the discharge of oily waste water from certain classes of vessels.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 3, of the printed bill, following the period, strike out all of the printed matter down to and including the period on page 2, line 7, and insert in lieu thereof the following: "Except in case of emergency imperiling life or property, or unavoidable accident, collision, or stranding, and except as otherwise permitted by law, it shall be unlawful for any person to discharge, or suffer, or permit the discharge of oil by any methods, means, or manner, into or upon the navigable waters of the State of California from any vessel using oil as fuel for the generation of propulsion power, or any vessel, carrying or having oil thereon in excess of that necessary for its lubricating requirements, and such as may be acquired under the laws of the United States and the State of California, and the rules and regulations prescribed thereunder. When used in this section, the term "oil" shall mean oil of any kind or in any form, including fuel oil, oil sludge and oil refuse. The term "person" shall mean an individual, partnership, corporation, or association, any owner, master, officer, or employee of a vessel, and any officer, agent, or employee of the State of California, and the term "navigable waters of the State of California" shall mean all portions of the sea within the territorial jurisdiction of the State of California, and all inland waters navigable in fact in which the tide ebbs and flows."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 869—An act to amend section 2322x22 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-second class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322x22", and insert in lieu thereof the following: "2322x27".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "twenty-second", and insert in lieu thereof the following: "twenty-seventh".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 2322x27 of the Political Code is hereby amended to read as follows:

2322x27. In counties of the twenty-seventh class, the agricultural commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county agricultural commissioner at a salary of six dollars per diem during the time actually employed, but the aggregate amount which may be expended in any year for such deputy shall not exceed one thousand five hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed eight inspectors at a compensation of five dollars per diem, each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed four thousand dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed one clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for such clerk shall not exceed one thousand two hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 874—An act to amend section 2322~~x~~36 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-sixth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322~~x~~36", and insert in lieu thereof "2322~~x~~38".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 3 of the title of the printed bill, strike out the words "thirty-sixth", and insert in lieu thereof "thirty-eighth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "2322~~x~~36", and insert in lieu thereof "2322~~x~~38".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"2322~~x~~38. In counties of the thirty-eighth class, the commissioner shall receive a salary of two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the commissioner the following inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) Three inspectors at a compensation of four dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 876—An act to amend section 9a36 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to librarian in counties of the thirty-sixth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "amend section 9a36 of", and insert in lieu thereof the following: "add section 9a38 to".

Amendment adopted.

AMENDMENT NUMBER TWO.

In lines 7 and 8 of the title of the printed bill, strike out the words "thirty-sixth", and insert in lieu thereof the following: "thirty-eighth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 9a38 is hereby added to the act cited in the title hereof, to read as follows:

Sec. 9a38. In counties of the thirty-eighth class, the salary of the county librarian shall be one thousand eight hundred dollars per annum."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 877—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4265", and insert in lieu thereof "4267".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the words "thirty-sixth", and insert in lieu thereof "thirty-eighth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "4265", and insert in lieu thereof "4267".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"4267. In counties of the thirty-eighth class the county officers."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 6, of the printed bill, after the colon following the word "wit", insert the following:

"1. County clerk and recorder, two thousand four hundred dollars per annum; provided, that in counties of this class, there shall be and there hereby is allotted to the county clerk and recorder one chief deputy who shall receive a salary of one thousand eight hundred dollars per annum, one deputy who shall receive a salary of one thousand two hundred dollars per annum, and one deputy who shall receive a salary of nine hundred dollars per annum, and in each year in which a new and complete registration of voters is required by law, he shall appoint as many deputy registration

clerks as may be necessary for the convenient registration of the voters of the county, which deputy registration clerks shall receive as compensation for their services a sum of ten cents per name for each and every voter registered by them.

2. Sheriff, two thousand four hundred dollars per annum; *provided*, that in counties of this class, there shall be and hereby is allowed to the sheriff, one undersheriff, whose salary is hereby fixed at the sum of one thousand eight hundred dollars per annum; one deputy whose salary shall be one thousand five hundred dollars per annum; and a jailer, which office is hereby created, whose salary is hereby fixed at the sum of one thousand two hundred dollars per annum. The sheriff also may appoint not to exceed three deputies at a salary of fifty dollars per month each, subject to the approval of the board of supervisors.

3. Auditor, two thousand dollars per annum; *provided*, that there is hereby allowed to the auditor one deputy who shall receive a salary of one thousand five hundred dollars per annum, and one additional deputy for not more than two months in each year who shall receive one hundred dollars per month. The sum of not to exceed one hundred sixty-five dollars per annum is appropriated for the use of the auditor in publishing an annual financial statement of the financial transactions of the county.

4. Treasurer and tax collector, two thousand dollars per annum; one deputy at a salary of one thousand five hundred dollars per annum; one deputy at a salary of nine hundred dollars per annum; additional deputies at a salary of seventy-five dollars per month, not to exceed in the aggregate seven hundred fifty dollars in any year.

5. Assessor, two thousand dollars per annum; one deputy at a salary of one thousand eight hundred dollars per annum; one deputy for six months in each year at a salary of one hundred fifty dollars per month; two field deputies each for four months in each year at salaries of one hundred fifty dollars per month each, and their traveling expenses, and one deputy for not to exceed three months in each year at a salary of one hundred twenty-five dollars per month.

6. District attorney, one thousand five hundred dollars per annum; one deputy at a salary of nine hundred dollars per annum; one stenographer at a salary of one thousand twenty dollars per annum.

7. Coroner, such fees as are now or may be hereafter allowed by law.

8. Public administrator, such fees as are now or may be hereafter allowed by law.

9. Superintendent of schools, one thousand eight hundred dollars per annum; one deputy at a salary of one thousand two hundred dollars per annum.

10. Surveyor, two thousand dollars per annum. The surveyor shall be entitled to receive all necessary expenses while engaged in doing county work outside of his office. The surveyor shall be allowed such assistants as he may need at a compensation not to exceed nine hundred dollars per annum.

11. Justices of the peace shall each receive the following monthly salaries, to be paid each month, and in the same manner and out of the same funds as county officers, are paid, which shall be in full for all services performed by them in their official capacities:

In townships having a population of five thousand or more, fifty dollars per month;

In townships having a population of four thousand, and less than five thousand, forty dollars per month;

In townships having a population of three thousand, and less than four thousand, thirty dollars per month;

In townships having a population of two thousand, and less than three thousand, twenty dollars per month;

In townships having a population of less than two thousand, ten dollars per month.

12. Constables shall each receive the following monthly salaries, to be paid each month, and in the same manner and out of the same funds as county officers, are paid, which shall be in full for all services performed by them in their official capacities:

In townships having a population of five thousand or more, fifty dollars per month;

In townships having a population of four thousand, and less than five thousand, forty dollars per month;

In townships having a population of three thousand, and less than four thousand, thirty dollars per month;

In townships having a population of two thousand, and less than three thousand, twenty dollars per month;

In townships having a population of less than two thousand, ten dollars per month.

13. For the purpose of fixing the salaries of justices of the peace and of the constables the population of the several judicial townships of the county shall be ascertained as follows:

By multiplying the registered vote in each township as shown by the great register for the last preceding presidential election by two and one-half.

14. The salary of each supervisor as supervisor and road commissioner, shall be five dollars per day. The supervisors shall receive as mileage, fifteen cents per mile for one way from the place of residence to the place of meeting for each regular session of the board of supervisors.

15. The salary of the county physician as county physician and health officer shall be one hundred dollars per month in full for all services and personal expenses incurred.

16. Probation officer, one thousand two hundred dollars per annum, and he shall be allowed such necessary and incidental expenses incurred in the performance of his duties as are required by any laws of the State of California and may be authorized by the judge of the juvenile court, and the same shall be a charge upon the county, and said expense shall be paid out of the county treasury upon the written order of the judge of the juvenile court, directing the county auditor to draw his warrant on the county treasurer for the specific amount of such expenses. The probation officer shall keep a list of expenses and file a copy monthly with the county board of supervisors.

17. The fees of grand jurors and trial jurors in the superior court shall be three dollars per day for each day's attendance and mileage, to be computed at the rate of fifteen cents per mile for each mile necessarily traveled in attending court, in going only. In criminal cases such fees and mileage of said trial jurors in the superior court shall be paid by the treasurer of the county out of the general fund of said county upon warrants drawn by the county auditor on the written order of the judge of the court in which the juror was in attendance, and the treasurer of said county shall pay such warrants.

18. The provisions of this act in relation to compensation, deputies, fees and expenses, are hereby found as a fact to work no increase in the compensation of county officers, and shall apply to the present incumbents."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 878—An act to amend section 16x36 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-sixth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "16x36", and insert in lieu thereof "16x38".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the words "thirty-sixth", and insert in lieu thereof "thirty-eighth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "16x36", and insert in lieu thereof "16x38".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"16x38. In counties of the thirty-eighth class, deputy superintendents of weights and measures shall receive five dollars per day for each day actually employed in the county."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 880—An act to amend section 2322x42 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322x42", and insert in lieu thereof "2322x44".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the words "forty-second", and insert in lieu thereof "forty-fourth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "2322x42", and insert in lieu thereof "2322x44".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"2322x44. In counties of the forty-fourth class, the commissioner shall receive a salary of two thousand dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies and inspectors to be appointed by said commissioner, which positions are hereby created, and the salaries are hereby fixed as follows, to wit:

(a) One deputy county agricultural commissioner at a compensation of five dollars per diem, during the time actually employed, but the aggregate amount which may be expended in any year for such deputy shall not exceed one thousand five hundred dollars.

(b) The commissioner is also authorized and empowered to appoint not to exceed three inspectors at a compensation of three dollars and a half per diem each, during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed two thousand dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 881—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4271", and insert in lieu thereof "4273".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the words "forty-second", and insert in lieu thereof "forty-fourth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"4273. In counties of the forty-fourth class the county".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 5, of the printed bill, strike out "office", and insert in lieu thereof "offices".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 1 of the printed bill, strike out line 7 and insert in lieu thereof the following:

"1. County clerk. The county clerk, two thousand four hundred dollars per annum; *provided*, that in counties of this class there shall be, and there is hereby allowed the county clerk, one deputy clerk, who shall be appointed by the county clerk, and shall be paid salary as follows: The sum of one thousand two hundred dollars per annum, which shall be paid by said county in equal monthly installments at the time and in the same manner and out of the same fund as the salary of the clerk is paid; *provided*, that the county clerk shall appoint as many deputy registration clerks as may be necessary for the convenient registration of voters of the county, which deputy registration clerks in all places in said county other than at the county seat shall receive as compensation for their services the sum of eight cents per name for each and every voter registered by them, said compensation to be paid out of the general fund of the county on the presentation or filing with the board of supervisors of the county a duly verified claim therefor, approved by the county clerk.

2. Recorder. The recorder shall receive a salary of one thousand five hundred dollars per annum, and in addition to his salary fifty per cent of all fees collected by him as such recorder.

3. Sheriff. The sheriff shall receive four thousand dollars per annum, and the fees or commissions for the service of all papers issued by any court of the state outside of this county, also his traveling expenses in the execution of a warrant outside of his county issued by a magistrate or court of his county; *provided*, that in counties of this class the sheriff is hereby allowed one undersheriff and three deputies, who shall be appointed by the sheriff, the undersheriff shall receive a salary of one thousand eight hundred dollars per annum, and each of the other three deputies shall receive a salary of one thousand five hundred dollars per annum which shall be paid by the county in equal monthly installments at the time and in the same manner and out of the same funds as the salary of the sheriff is paid.

4. The auditor, two thousand four hundred dollars per annum; *provided*, that in counties of this class the auditor is hereby allowed one deputy, who shall be appointed by the auditor and who shall receive a salary of nine hundred dollars per annum, which shall be paid by the county in equal monthly installments, at the time and in the same manner and out of the same fund as the salary of the auditor is paid.

5. The treasurer, two thousand dollars per annum, which shall be in full for all services rendered by him; and he shall pay all fees collected by him into the treasury of the county, in the manner provided by law.

6. The tax collector, one thousand one hundred dollars per annum. He shall also receive as compensation, to be paid to him for services, one-third of one per cent of all moneys collected by him as tax collector.

7. The assessor, three thousand dollars per annum.

8. The district attorney, two thousand four hundred dollars per annum; *provided*, that in counties of this class the district attorney is hereby allowed a clerk or stenographer, who shall be appointed by the district attorney, and who shall receive a salary of one hundred twenty-five dollars per month, which shall be paid by the county at the same time and in the same manner and out of the same fund as the salary of the district attorney is paid.

9. The coroner, such fees as are now, or may hereafter be allowed by law.

10. The public administrator, such fees as are now, or may hereafter be allowed by law.

11. The superintendent of schools, two thousand four hundred dollars per annum and traveling expenses while visiting and examining schools and school properties of the county and in performing such other duties as are incident to the full discharge of the requirements of the office of the superintendent of schools, and who shall serve as secretary of the county board of education without compensation; *provided*, (a), that in counties of this class the superintendent of schools is hereby allowed one deputy who shall receive a salary of one thousand dollars per annum.

12. The surveyor, one thousand five hundred dollars per annum, which shall be in full for all services required of him by the superior court or by the board of supervisors, and as ex officio county recorder; *provided*, that he shall be entitled to receive from the county his actual and necessary traveling expenses incurred in the performance of any order of the court or board of supervisors; for all other services the fees allowed by law.

13. Justices of the peace shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same funds as county officers are paid, which shall be in full for all services rendered by them: in townships having a population of two thousand five hundred or more, one hundred twenty-five dollars per month; in townships having a population of less than two thousand

five hundred and more than nine hundred, seventy-five dollars per month; in townships having a population of less than nine hundred and one and more than five hundred, fifty dollars per month; in townships having a population of less than five hundred and one, thirty dollars per month; *provided*, that in townships having a population of two thousand five hundred or more, justices of the peace shall be paid their necessary traveling expenses in the performance of their official duties; *and provided*, that in townships having a population of two thousand five hundred or more, the board of supervisors shall furnish and maintain at the expense of the county suitable offices for the justices thereof. All fees collected by the justices of the peace shall be paid into the county treasury at the end of each month.

14. Constables shall receive the following monthly salaries, to be paid each month, and in the same manner and out of the same fund as county officers are paid; also their necessary traveling expenses incurred while in the performance of their official duties, which shall be in full for all services rendered by them in criminal cases; in townships having a population of more than two thousand five hundred, one hundred dollars per month; and in townships having a population of less than two thousand five hundred and more than nine hundred, seventy-five dollars per month; in townships having a population less than nine hundred and more than five hundred, fifty dollars per month; in townships having a population of less than five hundred, thirty dollars per month. In addition to the compensation received in criminal cases, each constable shall receive and retain for his own use such fees as now or may hereafter be allowed by law for all services performed by him in civil actions; *provided, however*, in counties of this class constables are required to devote all of their time to the duties of their office.

15. Supervisors shall receive one hundred twenty-five dollars per month, and mileage at the rate of ten cents per mile for each mile actually traveled by them in the discharge of their duties, either as road commissioner or supervisor, not exceeding in the aggregate two hundred fifty dollars per annum. Supervisors shall also receive their necessary expenses when the performance of duty as supervisor or road commissioner takes them out of the county.

16. The official reporter, such fees as are now provided by law.

17. Assistants to surveyor. The board of supervisors in counties of this class may, by resolution, authorize the county surveyor to employ such assistants as may be necessary to perform such work as may be ordered by the board of supervisors or prescribed by law, and fix the compensation of such assistants and their actual necessary traveling expenses while in the field; such compensation and expenses to be allowed and paid as county charges.

18. Grand and trial jurors of the superior court shall each receive for each day's attendance the sum of three dollars per day, and for each mile actually traveled in attending court, twenty cents per mile one way only.

19. There is created for counties of the forty-fourth class, a county librarian, who shall be appointed by the board of supervisors for a term of four years and shall receive a salary of one thousand eight hundred dollars per annum, to be paid at the time and in the manner as other county officers.

20. The following provisions of this act, in relation to compensation, deputies, fees and expenses, to wit: subdivisions one and three, respectively, are intended to affect present incumbents."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 882—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "19x42", and insert in lieu thereof "19x44".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out the words "forty-second", and insert in lieu thereof "forty-fourth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "19x42", and insert in lieu thereof "19x44".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"19x44. In counties of the forty-fourth class there shall be one probation officer whose salary shall be seventy-five dollars per month."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 883—An act to amend section 16x42 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-second class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "16x42", and insert in lieu thereof "16x44".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the words "forty-second", and insert in lieu thereof the following: "forty-fourth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "16x42", and insert in lieu thereof "16x44".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"16x44. In counties of the forty-fourth class, deputy superintendents of weights and measures shall receive six dollars per day for each day actually employed in the county."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 387—An act to amend sections 1357, 1359, 1361 and 1362 of the Political Code, relating to absent voters.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out line 9.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 14, of the printed bill, insert after the word "county", and before the words "or city", a comma.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 22, of the printed bill, insert after the word "county", and before the words "or city", a comma.

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 21, of the printed bill, insert after the word "county", and before the words "or city", a comma.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 22, of the printed bill, insert after the word "county", and before the words "or city", a comma.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 37, of the printed bill, strike out the comma after the word "affiliated".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 41, of the printed bill, strike out the comma after the word "election".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 42, of the printed bill, strike out "or city".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 45, of the printed bill, insert a period after the word "registration".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 2, of the printed bill, insert after the word "county", and before the words "or city", a comma.

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 23, of the printed bill, after the blank following the word "of", and before the blank before the word "in", insert "a".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 3, line 31, of the printed bill, insert a blank after the word "this", and before the word "day".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, line 31, of the printed bill, strike out the period at the end of said line, and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, line 51, of the printed bill, insert after the word "county", and before the words "or city", a comma.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4 of the printed bill, strike out line 11, and insert in lieu thereof the following: "the identification envelope. The voter".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 24, of the printed bill, insert after the word "county", and before the words "or city", a comma.

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 30, of the printed bill, after the word "district", insert a comma.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 32, of the printed bill, after the word "county", insert a comma.

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 4, line 42, of the printed bill, before the word "county", in said line, insert "the".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 6, line 12, of the printed bill strike out ": They", and insert in lieu thereof the following: "; they".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 6, line 25, of the printed bill, strike out "remove the same therefrom", and also the comma after the word "and", in said line.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 6, line 26, of the printed bill, insert after the word "ballot", and before the word "deposit", the following: "remove the number therefrom and".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 6, line 26, of the printed bill, strike out the comma after the word "purpose", at the end of said line.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 6, line 41, of the printed bill, insert after the word "candidates", a comma.

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 6, line 43, of the printed bill, insert after the word "candidate", a comma.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 469—An act to amend sections 3.625, 3.632 and 3.634 of the School Code, relating to visiting teachers for physically handicapped persons.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 470—An act to amend section 3.673 of the School Code, and to repeal section 3.674 thereof, relating to vacation schools.
Bill read second time, and ordered on file for third reading.

Assembly Bill No. 952—An act to repeal article I, embracing sections 4.460 to 4.468, both inclusive, and article II, embracing sections 4.480 to 4.485, both inclusive, of chapter IV of part III of division IV of the School Code, and to repeal chapter 620 of the Statutes of 1920, entitled "An act to allow the tax for the special building fund of any school district to be levied and expended without the vote of the district," approved May 31, 1929, all relating to special building funds and special school funds of elementary school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 953—An act to repeal article I, embracing sections 3.150 to 3.156, inclusive, of chapter II of part II of division III of the School Code, relating to contracts by governing boards of elementary school districts for the education of children.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 954—An act to amend section 4.320 of the School Code, relating to claims or demands against school districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1229—An act to amend sections 3.441 and 3.620 of the School Code and to repeal sections 3.442, 3.443, 3.444, 3.445, 3.446 thereof, relating to the furnishing of instruction to physically handicapped children.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 525—An act to add a new section to the School Code to be numbered 4.353, relating to orders upon school district funds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1246—An act to amend section 2.620 of the School Code, relating to the holding of elections by union or joint union districts to determine the question of becoming a part of a union or joint union high school district.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 655—An act to add a new section to the Political Code, to be numbered 2545a, relating to the compensation of employees of railroads controlled by the Board of State Harbor Commissioners.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 361—An act to amend section 19r25 of the Juvenile Court Law, relating to probation officers in counties of the twenty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 362—An act to amend section 4254 of the Political Code, relating to compensation of county officers and employees in counties of the twenty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1321—An act to amend section 2322.25 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1322—An act to add a new section to be numbered 9a25 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the twenty-fifth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1804—An act to amend section 19.21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1824—An act to amend section 2322.21 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1792—An act to amend section 16.21, Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1320—An act to amend section 16.25, Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fifth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in Assembly March 6, 1931, strike out lines 8 and 9, and insert in lieu thereof the following: "hundred dollars per month, together with his actual and necessary traveling expenses incurred in the discharge of his duties as such sealer of weights and measures, and deputies shall receive five dollars per day for each day actually employed".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation.

MOTION TO RE-REFER SENATE BILL.

Senator Inman moved, seconded by Senator Young, that Senate Bill No. 175 be withdrawn from Committee on Governmental Efficiency, and re-referred to Committee on Public Health and Quarantine.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Inman, Swing, and McKinley on Senator Inman's motion to withdraw Senate Bill No. 175 from Committee on Governmental Efficiency, and re-refer it to Committee on Public Health and Quarantine.

The roll was called, and Senator Inman's motion carried by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Rochester, Schottky, Slater, Williams, and Young—24.

NOES—Senators Allen, Crittenden, Ducl, Fellom, Harper, Maloney, Pedrotti, Rich, Riley, Sharkey, Swing, Treacy, Tubbs, and Wag—14.

Senate Bill No. 175 ordered re-referred to Committee on Public Health and Quarantine.

Senate Bill No. 18—An act to revise and consolidate the law relating to probate, including the custody, disposal by will, succession, administration and distribution of estates of decedents, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law therein revised and consolidated and therein specified; and to establish a Probate Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 18 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Ducl, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wag, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 264—An act to add new sections to the Code of Civil Procedure, to be numbered 1043 and 1044, and to amend sections 763 and 963 of said code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 264 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Ducl, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Wag—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 597—An act to revise and consolidate the law relating to guardianship, the custody and administration of estates of persons under guardianship, and the custody of persons under guardianship; to repeal certain provisions of law herein revised and consolidated and herein specified; and to establish a division of the Probate Code.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 597 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, and Wagye—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 261—An act to repeal chapter 172, Statutes of 1893, entitled "An act to provide for the appointment of guardians of children maintained in any orphans' home or orphan asylum in this State," approved May 23, 1893.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 261 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagye, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 262—An act to repeal chapter 663, Statutes of 1929, entitled "An act concerning the guardianship of incompetent veterans and of minor children of dependent or deceased veterans and the commitment of veterans and to make uniform the law with reference thereto," approved June 3, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 262 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Tubbs, Wagye, Williams, and Young—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 265—An act to repeal section 92 of chapter 76, Statutes of 1909, entitled "An act to define and regulate the business of banking," approved March 1, 1909.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 265 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 266—An act to amend sections 4181 and 4182 of the Political Code, relating to the duties of the public administrator.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 266 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 263—An act to amend section 138 of the Civil Code, relating to orders respecting custody and maintenance of minor children of the marriage in actions for divorce.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 263 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Young—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed at twelve o'clock and thirty-eight minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, March 30, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 578—An act to amend the title of and to revise that certain act entitled "An act providing for the creation, organization and government of joint

highway districts composed of two or more counties of the State of California." approved April 5, 1917, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—14; committee vote: Ayes—11; absent—3.

EDWARDS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Roads and Highways, the following amendments to Senate Bill No. 573 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, following the comma after the word "districts", insert the following: "(including tunnels incident to highway purposes)".

AMENDMENT NUMBER TWO.

On page 8, line 15, of the printed bill, following the word "unit", insert the following: "or units".

AMENDMENT NUMBER THREE.

On page 8, line 24, of the printed bill, following the word "unit", insert the following: "or units".

AMENDMENT NUMBER FOUR.

On page 8, line 43, of the printed bill, strike out "sixty (60)", and insert in lieu thereof "ninety (90)".

AMENDMENT NUMBER FIVE.

On page 9, line 5, of the printed bill, following the word "may", insert the following: "now or hereafter".

AMENDMENT NUMBER SIX.

On page 18 of the printed bill, between lines 5 and 6, insert the following paragraph:

"If the owners of more than fifty per cent in area of the property within any funding district shall at such hearing object in writing to the issuance of funding bonds, the board of directors shall have no power to cause such funding bonds to issue."

AMENDMENT NUMBER SEVEN.

On page 18, line 11, of the printed bill, strike out the words "fifteen (15)", and insert in lieu thereof the words "thirty-five (35)".

AMENDMENT NUMBER EIGHT.

On page 26 of the printed bill, following line 53, add a new section to read as follows:

"SEC. 40. Extension of bond term on large projects. In the event that the report required under section 12 hereof shall show that the project proposed for immediate construction, or the unit or units thereof, is estimated to cost in excess of the sum of one million dollars, the board of directors shall have power to provide that any bonds issued under this act shall be extended over a period of not to exceed fifteen (15) annual installments, in which event the initial payment from and within each county within the district shall be not less than the sum obtained by dividing the total amount payable hereunder in each county by the number of installments in which the bonds will be paid."

AMENDMENT NUMBER NINE.

On page 9 of the printed bill, between lines 45 and 46, add a new section as follows: "Sec. 15a. Optional election provision.

At any time prior to the approval of the report provided for under section 12 hereof, by the board of supervisors of any county within a district organized under this act, proceedings may be taken as in this section provided. Upon the petition of twenty-five per cent (25%) of the registered electors of any county, or without such petition if any board of supervisors elects so to do, the matter of the participation of the county in any issuance of bonds proposed in the report above referred to, shall be referred to a vote of the qualified electors of the county. The matter may be submitted at a special election for that purpose or may be consolidated with any other election involving the entire county. All laws governing county elections shall apply to such election in so far as they may be applicable. The notice of election, in addition to the matters otherwise required, shall refer to the report above referred to, a copy of which shall be on file in the office of the county clerk. If at said election a majority of the electors voting thereon do not approve the proposition, the county shall not participate in the issue of bonds proposed unless the same or any amended proposition is thereafter approved by the electors as in this section provided. This section, and the procedure herein set forth, shall have no application to the bonds to correct invalidity provided for under section 30 hereof. In the event that any county proceeds under the provisions of this section, the time for the approval of the report above

referred to by the board of supervisors of such county, shall be extended to and including thirty days from and after the date of canvassing the returns upon any election held hereunder."

Bill ordered to print, and re-referred to Committee on Roads and Highways.

COMMUNICATION.

The following communication was presented, and ordered printed in the Journal:

By Senator McKinley:

LOS ANGELES, CALIFORNIA, March 30, 1931.

Senator J. W. McKinley,

State Senate, Sacramento, California.

Business interests of all of southern California in session Anaheim Saturday reaffirmed stand on congressional and Assembly reapportionment on basis of population as provided by constitution. Southern California does not wish to advantage at expense of agricultural counties of State, particularly those of San Joaquin Valley. Southern California pledges anew its continuing support to these agricultural counties on this issue without compromise. Economic Council of Southern California urges all legislators to support McKinley Reapportionment Bill No. 169 as passed by the Senate. We urgently request any action by Assembly to amend Senate Bill No. 169 be deferred until passage of McKinley Congressional Reapportionment Bill by Senate.

ECONOMIC COUNCIL OF SOUTHERN CALIFORNIA.

JOHN C. AUSTIN, Los Angeles, Chairman.

HAL G. HOTCHKISS, San Diego, Vice Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 312—An act to amend the California Irrigation District Act by amending sections 35, 37, 38, 41, and 78 thereof, relating to assessments and exclusion of land.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 312 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Cleveland, Clock, Duval, Edwards, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Rochester, Schottky, Sharkey, Treacy, Tubbs, Waggy, Williams, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 382—An act to amend section 31 of chapter 89, Statutes of 1897, the California Irrigation District Act, by amending section 31 thereof, relating to the issuance of bonds.

Bill read third time.

URGENCY CLAUSE.

SEC. 6. This act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the constitution of the State of California and it is deemed necessary for the immediate preservation of the public peace, health and safety that this law shall go into immediate effect. The following is a statement of the facts constituting such urgency:

Many irrigation districts organized under the laws of this State have issued bonds for the purpose of acquiring works for the distribution of water to the lands within such districts for irrigation and domestic use which bonds mature in whole or in part on July 1, 1931. If this amendment does not go into effect until 90 days after the final adjournment of this session of the Legislature, such districts will be unable to take advantage of the provisions hereof prior to July 1, 1931. Unless such bonds and interest coupons are refunded pursuant to the provisions of this amendment such districts must advance large cash payments for maturing bonds and interest coupons on that date, thereby leaving them without sufficient funds to enable them to operate properly and efficiently their distribution works. The proper and efficient operation of such works is necessary for the purpose of

furnishing water for irrigation and domestic use to the landowners within such districts and also to certain municipalities which are dependent entirely upon such districts for their source of water supply. The failure of the water supply of any such district or the inability of such district to make proper distribution thereof would be a menace to the public health of the inhabitants of such districts and of the municipalities aforesaid. If, however, the provisions of this amendment become a law immediately, such districts will be able to refund their bonds and coupons on or before July 1, 1931, thereby enabling such districts to utilize all available funds for the proper operation of their works for supplying and distributing water.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McKinley, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 382 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 126—An act to provide for the recall of elective officers of incorporated cities and towns, and to repeal chapter 32, Statutes of 1911, extra session, entitled "An act to provide for the recall of elective officers of incorporated cities and towns," approved January 2, 1912.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 126 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Treacy, Tubbs, Wagy, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bill No. 389 heretofore set as a special order for two o'clock p.m., the same was taken up for consideration.

Assembly Bill No. 389—An act to amend section 634 of the Penal Code, relative to the protection of fish and game.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Assembly Bill No. 389 to Senator Tubbs, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 3, line 1, of the printed bill, strike out "May", and insert in lieu thereof the following: "June".

AMENDMENT NUMBER TWO.

On page 3, line 1, of the printed bill, strike out "August", and insert in lieu thereof the following: "September".

AMENDMENT NUMBER THREE.

On page 3, line 12, of the printed bill, strike out "August", and insert in lieu thereof the following: "September".

AMENDMENT NUMBER FOUR.

On page 3, line 12, of the printed bill, strike out "thirtieth", and insert in lieu thereof the following: "thirty-first".

AMENDMENT NUMBER FIVE.

On page 3, line 13, of the printed bill, strike out "April", and insert in lieu thereof the following: "May".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Swing, Fellom and Treacy on Senator Fellom's motion to refer Assembly Bill No. 389 to Senator Tubbs, as a Special Committee of One, for amendment.

The roll was called, and Senator Fellom's motion lost by the following vote:

AYES—Senators Allen, Bush, Cassidy, Fellom, Maloney, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Treacy, Tubbs, and Williams—14.

NOES—Senators Baker, Breed, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McKinley, Mixer, Nelson, Slater, Swing, and Young—22.

URGENCY CLAUSE.

SEC. 2. Urgency measure. This act is hereby declared to be an urgency measure, deemed necessary for the immediate preservation of the public peace and safety, within the meaning of section 1 of article IV of the constitution of the State of California, and as such it shall take effect immediately.

The following is a statement of the facts constituting such necessity:

On February 14th of this year, the state Supreme Court handed down a decision in the case of Swenson et al. vs. Engelke et al., the effect of which is to nullify that portion of section 634 of the Penal Code which is designed to give protection to salmon in the ocean fish and game districts on the coast of California during certain closed seasons. The present law intended to provide a closed season of eight and one-half months during which time it would be unlawful to take or possess salmon in the ocean districts of the state. The greatest destruction to small and immature salmon is caused by fishing during this closed time and it was for the purpose of preventing this great destruction that the closed seasons were imposed.

The decision was made strictly on an interpretation of the statute, it being the judgment of the court that the present statute does not prohibit the possession of salmon in these closed districts which have been caught on the high seas beyond the jurisdiction of the state. It is impossible to enforce the closed term in these districts unless the possession of salmon is at the same time prohibited. Therefore, as a result of this decision, there is no closed season in these districts and great destruction to salmon, which are desperately in need of this protection, will result.

There is one exception to this statement, however, in the case of Monterey Bay, which is one of the most important salmon trolling regions. The bay of Monterey and three miles beyond are within the jurisdiction of the state and as practically all the commercial salmon trolling is here carried on within this area, the present closed seasons can be fairly well enforced, a condition which does not exist in the other trolling areas of the state, where much of the trolling is carried on on the high seas outside the three mile limit and where the laws can not be enforced to any great extent within the three mile limit, thus bringing about a condition which discriminates against the Monterey and Santa Cruz fishermen and places them at a great disadvantage.

It so happens that the present open season of three and one-half months for the Monterey Bay area is not the right season in that it opens too late to enable the fishermen to catch the fish which are mature, and for that reason their fishing

is in a large part unprofitable and covers a time during which the destruction to small salmon is excessive.

The Monterey fishermen have just passed through a disastrous sardine season and many of them are so greatly in need of profitable employment that a serious emergency exists. The present urgency measure is designed to fix the open season for the Monterey Bay region at the proper time and for this present year to open it on March 15th to relieve the distress now existing among these fishermen.

The bill, if passed as an emergency measure, also will prevent the excessive destruction of immature salmon both at Monterey and in the districts to the north and will enable the officers of the state to enforce the laws without the dissatisfaction and probable resistance on the part of the fishermen. There are over one thousand commercial fishermen affected.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Wagy, Williams, and Young—33.

NOES—Senators Fellom, and Treacy—2.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 389 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Rich, Schottky, Sharkey, Slater, Tubbs, Wagy, Williams, and Young—31.

NOES—Senators Fellom, Pedrotti, Rochester, and Treacy—4.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 446—An act to prevent fraud and deception and to protect the general welfare by establishing standards and standard containers for certain fruits, nuts and vegetables; and to that end regulating the sale, offer for sale, shipment, transportation, loading, packing, marking and disposal of fruits, nuts and vegetables; and repealing "The California Fruit, Nut and Vegetable Standardization Act of 1927," chapter 865, Statutes of 1927, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 446 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 182—An act to authorize the counties of the State of California to establish systems for the retirement and pension of county and township officers and employees and to provide certain benefits for their dependents, and empowering county boards of supervisors to levy a special tax.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 182 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, and Tubbs—32.

NOES—Senators Waggy, and Williams—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 530—An act concerning the Ehrenburg Bridge across the Colorado River.

Bill read third time.

URGENCY CLAUSE.

SEC. 3. This act is hereby declared to be an urgency measure within the meaning of section 1 of article IV of the constitution of the State of California, and it is deemed necessary for the immediate preservation of the public peace, health, and safety, that this law shall go into immediate effect. The following is a statement of facts constituting such urgency: The Sunkist Trail now designated as the Pacific Coast Link of United States No. 60 Transcontinental Highway running from the Atlantic coast to the Pacific coast is one of the main highway entrances into California, but has been in a long neglected and dangerous state due to lack of funds. The federal government offers to release the sum of \$800,000 of federal aid road moneys to make such highway safe and satisfactory only upon the condition that said bridge now a privately owned toll bridge, be made a publicly owned free bridge forthwith; that the state of Arizona has already enacted into law an urgency measure in similar terms and this act is essential to immediately consummate the transaction; that the release of the federal aid road improvement funds will furnish work for a large number of persons thereby relieving the prevailing unemployment situation and further promoting public peace, health, and safety.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—33.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 530 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 557—An act to amend subdivision (a) of section 64 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by providing that each party to a proceeding shall have the separate right to petition for a rehearing.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 557 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Treacy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 48—An act to add a new section to the Political Code, to be numbered 3475, relating to the effect of sales of land for delinquent assessments, where the land is also situated in one or more districts or public corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 48 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Christian, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 553—An act to amend subdivision (c) of section 11 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, with respect to limitations of time for instituting proceedings for the collection from an employer of additional compensation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 553 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 554—An act to amend subdivision (d) of section 20 of the Workmen's Compensation, Insurance and Safety Act of 1917, as amended, by permitting decision on rehearing after 245 weeks from the date of the injury.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 554 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At four o'clock and eight minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Tuesday, March 31, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, March 31, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Riley, Rochester, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—36.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, March 30, 1931, the further reading was dispensed with on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Harper, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles B. De Long of San Diego, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Julius Kahn, Jr.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. C. E. Grier and Miss Georgie Anderson.

On request of Senator Jones, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. T. M. Wright, Miss June Painter, Miss Gertrude Wright and Ex-Senator Edward Strobbridge.

On request of Senator Clock, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. W. Morin of Pasadena.

On request of Senator Rich, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Esparto Union High School, classes in civics and commercial law, Miss Jeanette Greenwood and Frank B. Hopkins, teachers, and pupils as follows: Mary Weiss, Mildred Bloom, Homer Lewis, Roy Covert, Carl Nichols, Dale Vieira, Wilma Smith, Howard Jaynes, Bernard Lloyd, Archie Cain, Raymond Chamberlain, Gertrude Larkey, Toshi Matsumoto, Athena

Woupios, Woodrow Woods, Virgil Rominger, Tom Tsutsumi, Robert Armstrong, Campbell James, Kathrine Gable, Mary Pilgrim, Marna Gray, Doris Stephens, Eleanor Farnham, Marguerite Taylor, Madaline Taylor, Kenneth Rheingaus, Louise Gray, Ilene Spence, Elaine Morrin, Cecelia Piezzi, Vince Harrison, Bill Hartwig, Fredson Wallace, Jack Lindberg, Lucy Lacabe, Mary Hartman, Kuniko Matsumuro, George Lloyd, Leona Sever, Will Linder, Helen Grothe, Helen Baur, Mable Mack, Eda Davis, Esther Nichols, Harvey Stotts, Forrest Nurse, Norma Nurse and Robert Hinkle.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Joseph Ufaine of Rio Vista.

On request of Senator Edwards, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Tom Pickerill of Placencia.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Earl McCallum and Earl McCallum, Jr., of Martinez; also Earl Bromley of Los Angeles.

On request of Senator Carter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to John E. Wright of Los Angeles.

On request of Senator Crittenden, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. George Lukersen of Tracy and W. P. Schwartz, attorney, of Oakland.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. J. F. Mayne of Rio Vista.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to P. M. Fisher of Oakland.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Constitutional Amendment No. 28—Proposed amendment to article XIII of the constitution, relative to the exemption of vessels engaged in commerce from taxation.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Constitutional Amendment No. 28 read, and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1012—An act to amend section 1 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, relating to contents of articles of incorporation;

Also: Assembly Bill No. 161—An act to amend section 6 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, relating to the liability for compensation in certain cases;

Also: Assembly Bill No. 455—An act to amend section 14 of the Direct Primary Law, relating to the opening and closing of the polls at primary elections;

Also: Assembly Bill No. 1224—An act to amend section 817 of the Penal Code, relating to peace officers;

Also: Assembly Bill No. 1004—An act to repeal chapter 34, Statutes of 1921, entitled "An act concerning corporations of this State and the issue to employees and

to persons actively engaged in the conduct of their business of their stock," approved April 2, 1921, relating to the issue of shares of stock to employees.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bills Nos. 1012, 161, 1224 and 1004 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 455 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 27, 1931, passed Assembly Bill No. 1499—An act to add a new section to be numbered section 6½ to chapter 421, Statutes of 1925, entitled the "California Canned Fruit Standardization Act," approved May 23, 1925, as amended, providing for the use of United States Department of Agriculture markings on canned products.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1499 read first time, and referred to Committee on Agriculture and Live Stock.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 440—An act to repeal article III, embracing sections 3.380 and 3.381, of chapter VI of part III of division III of the School Code, relating to agreements of affiliation by junior colleges and junior college departments of high school districts and teachers colleges with the University of California;

Also: Senate Bill No. 441—An act to repeal chapter II, embracing sections 4.410 to 4.434, both inclusive, of part III of division IV of the School Code, relating to taxes for school districts;

Also: Senate Bill No. 442—An act to amend section 3.470 of the School Code and to repeal sections 3.471, 3.472 and 3.473 thereof, relating to cooperative part-time vocational courses in high schools;

Also: Senate Bill No. 566—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation;

Also: Senate Bill No. 698—An act to amend sections 3644 and 3646 of the Political Code, relating to taxation of boats and vessels;

Also: Senate Bill No. 843—An act to amend sections 3.306 and 3.309 of the School Code and repeal section 3.307 thereof, relating to the attendance of pupils in a high school district in which such pupils do not reside;

Also: Senate Bill No. 845—An act to amend section 3.350 of the School Code, relating to junior college courses of study maintained by high school districts; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 120—An act to amend sections 3, 9, 12 and 20a of, and to add new sections numbered 3a, 3b, 3c and 12a to the California Real Estate Act relating to the State Real Estate Department, the issuance and revocation of licenses, the examination of subdivision projects, and creating the California Real Estate Advisory Council;

Also: Senate Bill No. 279—An act to amend section 718 of the Civil Code, relating to leasing property by municipalities;

Also: Senate Bill No. 363—An act to protect persons and property against danger from fire and explosion in petroleum oil wells by providing for the location of wells in relation to the outer boundary lines of the property, public streets, roads and highways and other wells;

Also: Senate Bill No. 368—An act to add a new section to the Political Code to be numbered 3817a, relating to the extension of the period of redemption of property sold for taxes;

Also: Senate Bill No. 420—An act to add a new section to the School Code to be numbered 2.1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents;

Also: Senate Bill No. 439—An act to repeal article II embracing sections 4.530 to 4.533, both inclusive, article II, embracing sections 4.540 to 4.548, both inclusive, article III, embracing sections 4.560 to 4.566, both inclusive, all of chapter VI of part III of division IV of the School Code, and section 4.570 thereof, all relating to the financial support of high school districts;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON CONSERVATION.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Conservation, to which was referred Senate Bill No. 141—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—6; committee vote: Ayes—6.

EVANS, Chairman.

Senate Bill No. 141 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Conservation, to which was referred Assembly Bill No. 171—An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest or landmarks;

Also: Assembly Bill No. 957—An act to repeal chapter 264 of the Statutes of 1905, approved March 18, 1905, as amended, entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a forestry fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor"; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—6; committee vote: Ayes—6.

EVANS, Chairman.

Assembly Bills Nos. 171 and 957 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1044—An act providing for the granting of franchises in counties, cities and counties, cities or towns for the disposal or destruction, or both, of garbage and other waste—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Assembly Bill No. 1044 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Concurrent Resolution No. 25—Relating to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee for the purpose of considering and recommending the enactment of effective laws governing the traffic in narcotic drugs and related matters—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Senate Concurrent Resolution No. 25 ordered on file for adoption.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1056—An act to amend section 7 of an act entitled "An act regulating the sanitary conditions of bakeries, prescribing conditions connected with the manufacture and sale of bakery products and fixing penalties for violation of the provisions thereof," approved June 2, 1921, relating to the handling and sale of bread—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Assembly Bill No. 1056 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 584—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 10, 12, 12a, 14, 15, 16, 18, 19, 20, 21, and to add new sections numbered 24 and 25 to chapter 845, Statutes 1927, "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules and regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology; and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved by the Governor, May 31, 1927—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Public Health and Quarantine, the following amendments to Senate Bill No. 584 were read and adopted:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, between the words "add", and "new", add the word "a".

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out the letter "s", from the part of the word "tions", and add the words "to be", and also strike out the words "and 25".

AMENDMENT NUMBER THREE.

In line 15 of the title of the printed bill, strike out the last word "and".

AMENDMENT NUMBER FOUR.

In line 18 of the title of the printed bill, strike out the semicolon after the word "cosmetology", and insert in lieu thereof a comma.

AMENDMENT NUMBER FIVE.

On page 2, line 39, of the printed bill, strike out the small letter "r", in the word "rays", and insert in lieu thereof a capital "R".

AMENDMENT NUMBER SIX.

On page 2, line 43, of the printed bill, strike out the last letter "s", in "gists".

AMENDMENT NUMBER SEVEN.

On page 3 of the printed bill, omit the following lines, 19 to 23, inclusive.

AMENDMENT NUMBER EIGHT.

On page 3, line 38, of the printed bill, insert the word "the", after the word "as".

AMENDMENT NUMBER NINE.

On page 4, line 2, of the printed bill, after the word "fifty", add the figures "(50)".

AMENDMENT NUMBER TEN.

On page 4, line 15, of the printed bill, add a comma after the word "engaging".

AMENDMENT NUMBER ELEVEN.

On page 5, line 23, of the printed bill, add the letter "s", to the word "meeting".

AMENDMENT NUMBER TWELVE.

On page 6, line 1, of the printed bill, after the word "director", insert a comma.

AMENDMENT NUMBER THIRTEEN.

On page 7, line 1, of the printed bill, after the word "board", strike out the word "is", and insert in lieu thereof the word "in".

AMENDMENT NUMBER FOURTEEN.

On page 9, line 9, of the printed bill, between the words "and", and "of", strike out the word "if", and insert in lieu thereof the word "is".

AMENDMENT NUMBER FIFTEEN.

On page 9, line 43, of the printed bill, strike out the word "or", and insert in lieu thereof the word "and".

AMENDMENT NUMBER SIXTEEN.

On page 10, line 43, of the printed bill, strike out the "s", from the word "certificate".

AMENDMENT NUMBER SEVENTEEN.

On page 12, line 31, of the printed bill, before the word "upon", insert the word "license".

AMENDMENT NUMBER EIGHTEEN.

On page 13, line 16, of the printed bill, strike out the "t", in the word "thereof".

AMENDMENT NUMBER NINETEEN.

On page 13, line 29, of the printed bill, after the word "twenty-five", insert the figures "(\$125)".

AMENDMENT NUMBER TWENTY.

On page 14, line 19, of the printed bill, after the word "branches", strike out the word "or", and insert in lieu thereof the word "of".

AMENDMENT NUMBER TWENTY-ONE.

On page 14 of the printed bill, omit lines 38 to 45, inclusive.

AMENDMENT NUMBER TWENTY-TWO.

On page 15, line 36, of the printed bill, after the word "as", insert "an".

AMENDMENT NUMBER TWENTY-THREE.

On page 16, line 7, of the printed bill, strike out the letter "e", in the parentheses and insert in lieu thereof the letter "c".

AMENDMENT NUMBER TWENTY-FOUR.

On page 16, line 23, of the printed bill, strike out the word "issued", and insert in lieu thereof the word "issued".

AMENDMENT NUMBER TWENTY-FIVE.

On page 16, line 42, of the printed bill, strike out the word "concealing", and insert in lieu thereof the word "canceling".

Bill ordered to print, and re-referred to Committee on Public Health and Quarantine.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Concurrent Resolution No. 23—Relative to requesting the Division of Motor Vehicles to use the full word "California" on all number plates—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—16; committee vote: Ayes—16.

BAKER, Chairman.

Senate Concurrent Resolution No. 23 ordered on file for adoption.

Also:

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 288—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—16; committee vote: Ayes—16.

BAKER, Chairman.

Senate Bill No. 288 ordered on file for second reading.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 699—An act regulating the boring or drilling of wells for water—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Agriculture and Live Stock, the following amendments to Senate Bill No. 699 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, after the word "showing", insert the words "where said well is located".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out the word "ten", and insert in lieu thereof the word "twenty".

AMENDMENT NUMBER THREE.

On page 1, line 13, of the printed bill, strike out the word "account", and insert in lieu thereof the word "record".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out all of lines 14 and 15, and insert in lieu thereof "the office of the state engineer at Sacramento, on a standard form to be prescribed by him".

Bill ordered to print, and re-referred to Committee on Agriculture and Live Stock.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 3—An act to amend section 596 of the Penal Code, relating to the poisoning of any animal, the property of another—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

Senate Bill No. 3 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 329—An act to revise the title and to amend sections 2, 3, 4, 5, 6, and 9 of chapter 847, Statutes of 1927, known as the California Apiary Inspection Act, approved May 31, 1927, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; noes—1; absent—3.

DUVAL, Chairman.

Senate Bill No. 329 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 563—An act to promote the development of the California dried fruit industry and to prevent deception in the packing and sale of dried fruit by providing for the establishment and definition of standards for dried fruit, by authorizing the Director of Agriculture to provide for the certification of dried fruits, establishing a Dried Fruit Certification Fund and revolving fund, and making an appropriation to carry out the provisions hereof—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Finance.

Committee membership—13; committee vote: Ayes—11; noes—1; absent—1.

DUVAL, Chairman.

Senate Bill No. 563 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Senate Bill No. 734—An act regulating the sale of grain in sacks, defining the term grain, providing that the sacks shall be sold and purchased as part of the same transaction—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

DUVAL, Chairman.

Senate Bill No. 734 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 330—An act to amend section 457 of the Civil Code, relating to bonds of railroad corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bill No. 330 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure;

Also: Senate Bill No. 761—An act to amend section 1274a of the Code of Civil Procedure, relating to escheated estates;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 355 were read and adopted:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, strike out the period, and add the following language: "the act to take effect immediately."

AMENDMENT NUMBER TWO.

On page 1, line 11, of the printed bill, strike out the word "although", and insert in lieu thereof the word "although".

AMENDMENT NUMBER THREE.

On page 2, line 25, of the printed bill, after the words "same or", insert the word "repairing."

AMENDMENT NUMBER FOUR.

On page 2, line 32, of the printed bill, strike out the following words: "within the last two years".

AMENDMENT NUMBER FIVE.

On page 2, line 34, of the printed bill, strike out the word "bonds", and insert in lieu thereof the word "bond".

AMENDMENT NUMBER SIX.

On page 2, line 35, of the printed bill, strike out the word "minor".

AMENDMENT NUMBER SEVEN.

On page 2, line 36, of the printed bill, strike out the words "not jurisdictional".

Bill ordered to print, and re-referred to Committee on Judiciary.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Senate Bill No. 761 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "1274a", and insert in lieu thereof the following: "1274b".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "escheated estates", and insert in lieu thereof the following: "escheat".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "1274a", and insert in lieu thereof "1274b".

AMENDMENT NUMBER FOUR.

On page 1, line 3, of the printed bill, strike out "1274a", and insert in lieu thereof the following:

"1274b. Whenever any money in litigation in any superior or inferior court, or any excess fees or other money deposited in connection with such litigation, has been or shall be paid into the county treasury, or any money has come or shall come into the hands of a county treasurer as ex officio treasurer of a dissolved irrigation district, and three years thereafter it is made to appear to the satisfaction of the court or judge, by affidavit or by testimony taken in open court, that said money has not been and cannot be paid out because the owner thereof cannot be found, the court or judge must direct that such money be deposited in the state treasury for the benefit of the owner thereof or his legal representative, to be paid to him whenever, within five years after such deposit, proof to the satisfaction of the state controller and the state treasurer is produced that he is entitled thereto. When so claimed, an affidavit of the claimant setting forth the facts establishing his ownership, and the joint order of the controller and the treasurer must be filed by the treasurer as his voucher, and the amount of the claim paid to the owner or his legal representative on the filing of the proper receipt. If no one claims the amount as herein provided, the money devolves and escheats to the people of the State of California and shall be placed by the state treasurer in the school fund."

Bill ordered to print, and re-referred to Committee on Judiciary.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1063—An act to add a new section to the Code of Civil Procedure to be numbered 1952, relating to the destruction or other disposal of exhibits introduced at the trial of civil actions or proceedings;

Also: Assembly Bill No. 1016—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer;

Also: Assembly Bill No. 1018—An act authorizing suits against the State to quiet title against it to real property required for highway purposes when deed to the State is recorded in conflict with agreement with State's representatives in the matter of its acquisition;

Also: Assembly Bill No. 1303—An act to amend section 112 and to repeal section 1163 of the Code of Civil Procedure, relating to jurisdiction of justices' courts; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1063, 1016, 1018 and 1303 ordered on file for second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS.

The following requests for permission to introduce bills were presented:

By Senator Mixter:

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act making an appropriation from the Contingent Fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University.

Request referred to Committee on Rules.

By Senator Cassidy:

SENATE CHAMBER, SACRAMENTO, March 30, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to add a new section to the Political Code to be numbered 695, relating to a bureau of publications and documents in the Department of Finance.

Request referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Mixter to introduce a bill entitled—An act making an appropriation from the Contingent Fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Mixter: Senate Bill No. 938—An act making an appropriation from the Contingent Fund of the State Board of Pharmacy to be used by the Regents of the University of California for the use and benefit of the College of Pharmacy of the University of California.

Bill read first time, and referred to Committee on Universities and Teachers Colleges.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1007—An act to repeal sections 322 and 322a of the Civil Code, relating to corporations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bill No. 1007 ordered on file for second reading.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 290—An act to amend section 13 of chapter 267, Statutes of 1923, entitled "An act to regulate and license the business

of producing, refining or distributing gasoline, distillate and other motor vehicle fuels, providing for the collection and distribution of license taxes, prescribing penalties for violation of the provisions of said act, and repealing all acts and parts of acts inconsistent herewith," approved May 30, 1923, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 290 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 587—An act to amend section 2 of chapter 233, Statutes of 1903, entitled "An act imposing a license tax upon itinerant vendors of drugs, nostrums, ointments, or appliances sold for the cure of disease, injuries or deformities," approved March 20, 1903, as amended, relating to license fees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 587 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Moran, Rich, Riley, Rochester, Sharkey, Slater, Swing, Treacy, and Waggy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 272—An act to add a new section to be numbered 18a, chapter 25, Statutes of 1911, extra session, entitled the "Reclamation Board Act," relating to claims of parties against the Sacramento and San Joaquin Drainage District for moneys advanced for work on the flood control project.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 272 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 274—An act to amend the Political Code by amending sections 3454, 3457, 3465, 3466, and 3466½ as enacted by chapter 374, Statutes of 1921; 3468, 3480 and 3480a, relating to reclamation districts.

Bill read third time.

The question being on the passage of the bill,

The roll was called, and Senate Bill No. 274 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 184—An act to amend sections 1279 and 1298 of the Penal Code, relating to bail.

Bill read third time.

The question being on the passage of the bill.

The roll was called and Senate Bill No. 184 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or irrigation ditches.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cleveland moved to refer Senate Bill No. 323 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out the word "irrigation", and insert in lieu thereof the following: "drainage".

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, strike out "or channel", and insert in lieu thereof the following: "reclamation or drainage ditch".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 323, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Committee.

Report read, and on motion of Senator Cleveland adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1804—An act to amend section 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cleveland moved to refer Assembly Bill No. 1804 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly March 5, 1931, strike out "19x21", and insert in lieu thereof: "19x15".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in Assembly March 5, 1931, strike out "19x21", and insert in lieu thereof: "19x15".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1804, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Committee.

Report read, and on motion of Senator Cleveland adopted.

Bill ordered to print.

Assembly Bill No. 1824—An act to amend section 2322x21 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-first class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cleveland moved to refer Assembly Bill No. 1824 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly March 5, 1931, strike out "2322x21", and insert in lieu thereof the following: "2322x15".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in Assembly March 5, 1931, strike out "2322x21", and insert in lieu thereof the following: "2322x15".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1824, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Committee.

Report read, and on motion of Senator Cleveland adopted.

Bill ordered to print.

Assembly Bill No. 1792—An act to amend section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cleveland moved to refer Assembly Bill No. 1792 to Senator Christian, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, as amended in Assembly March 5, 1931, strike out "16x21", and insert in lieu thereof the following: "16x15".

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, as amended in Assembly March 5, 1931, strike out "16x21", and insert in lieu thereof the following: "16x15".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, as amended in Assembly March 5, 1931, strike out "16x21", and insert in lieu thereof the following: "16x15".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 1792, with instructions to amend, respectfully reports the same back, amended as per instructions.

CHRISTIAN, Committee.

Report read, and on motion of Senator Cleveland adopted.
Bill ordered to print.

Assembly Bill No. 655—An act to add a new section to the Political Code, to be numbered 2545a, relating to the compensation of employees of railroads controlled by the Board of State Harbor Commissioners.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 655 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Harper, Ingels, Jones, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Sharkey, Slater, Treacy, Tubbs, and Wagy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1246—An act to amend section 2.620 of the School Code, relating to the holding of elections by union or joint union districts to determine the question of becoming a part of a union or joint union high school district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1246 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 439—An act to repeal article I, embracing sections 4.530 to 4.533, both inclusive, article II, embracing sections 4.540 to 4.548, both inclusive, article III, embracing sections 4.560 to 4.566, both inclusive, all of chapter VI of part III of division IV of the School

Code, and section 4.570 thereof, all relating to the financial support of high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 439 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 440—An act to repeal article III, embracing sections 3.380 and 3.381, of chapter VI of part III of division III of the School Code, relating to agreements of affiliation by junior colleges and junior college departments of high school districts and teachers colleges with the University of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 440 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 441—An act to repeal chapter II, embracing sections 4.410 to 4.434, both inclusive, of part III of division IV of the School Code, relating to taxes for school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 441 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 442—An act to amend section 3.470 of the School Code and to repeal sections 3.471, 3.472 and 3.473 thereof, relating to cooperative part-time vocational courses in high schools.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 442 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixter,

Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—28.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1229—An act to amend sections 3.441 and 3.620 of the School Code and to repeal sections 3.442, 3.443, 3.444, 3.445, 3.446 thereof, relating to the furnishing of instruction to physically handicapped children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1229 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Christian, Cleveland, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Maloney, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 525—An act to add a new section to the School Code to be numbered 4.353, relating to orders upon school district funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 525 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Maloney, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 170—An act to amend section 365*d* of the Political Code, relating to highways.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 170 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Cleveland, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Maloney, Mixter, Nelson, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 469—An act to amend sections 3.625, 3.632 and 3.634 of the School Code, relating to visiting teachers for physically handicapped persons.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 469 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Edwards, Fellom, Harper, Hays, Ingels, Maloney, Mixer, Nelson, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, and Williams—23.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Christian:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, strike out "visiting teachers", and insert in lieu thereof the following: "home instructors".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and twenty-six minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 932—An act to amend section 1 of an act entitled "An act to define motor club service, and to define, license, and regulate companies engaged in selling, furnishing or procuring the same, for a consideration, to owners and operators of motor vehicles, and providing penalties for the violation thereof, and repealing all acts in conflict herewith," approved June 15, 1929.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1555—An act to amend section 2322x31 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-first class;

Also: Assembly Bill No. 1557—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class;

Also: Assembly Bill No. 1562—An act to amend section 4263 of the Political Code, relating to compensation of county and township officers in counties of the thirty-fourth class;

Also: Assembly Bill No. 513—An act establishing standards, tests and requirements for certain refined petroleum products, providing for taking samples thereof, providing for sealing of certain containers, pumps and storage tanks connected thereto, providing for labeling of certain containers and pumps, and further, providing an annual license fee and fixing a penalty for the violation thereof of provisions contained therein;

Also: Assembly Bill No. 1734—An act to amend section 7 of an act entitled "An act providing for the dissolution and winding up of savings banks, trust companies, and banks of deposit, and providing for the disposition of all funds deposited therein and not claimed within five years after such banks have ceased to do business, or after the commencement of proceedings to dissolve," approved March 31, 1891;

Also: Assembly Bill No. 348—An act to amend section 274e of the Code of Civil Procedure, relating to phonographic reporters.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1555, 1557 and 1562 read first time, and referred to Committee on County Government.

Assembly Bill No. 513 read first time, and referred to Committee on Oil Industries.

Assembly Bill No. 1734 read first time, and referred to Committee on Banking.

Assembly Bill No. 348 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 232—An act to amend section 9 of an act entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921 (Stats. 1921, Chap. 652, page 1103), relating to time of filing estimates of proposed expenditures;

Also: Assembly Bill No. 806—An act relating to the management of prison industries, the centralized control of their sales, the determination of styles, designs and qualities of products manufactured, the diversification of industries, the standardization of products and the publication of a catalogue;

Also: Assembly Bill No. 805—An act providing for payments and credits to prisoners employed in State prisons and reformatories, defining the powers and duties of the State Board of Prison Directors in respect thereto and prescribing certain penalties and forfeitures;

Also: Assembly Bill No. 210—An act to amend section 4279 of the Political Code, relating to officers in counties of the fiftieth class and the salaries, fees and expenses thereof;

Also: Assembly Bill No. 413—An act to amend section 4273 of the Political Code, relating to fees and salaries of officers in counties of the forty-fourth class;

Also: Assembly Bill No. 524—An act to amend sections 45, 47, and 48 of the California Irrigation District Act, relating to certificates of sale of lands sold for delinquent assessments and deeds issued pursuant thereto;

Also: Assembly Bill No. 1360—An act to authorize and direct the county of Lake to apportion and credit to the Upper Lake Union School District Fund and to the Lucerne School District Special Fund certain revenue collected in taxes.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 232 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bills Nos. 806 and 805 read first time, and referred to Committee on Prisons and Reformatories.

Assembly Bills Nos. 210 and 413 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 524 and 1360 read first time, and referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 30th passed Assembly Bill No. 1123—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1123 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 27th passed Assembly Bill No. 131—An act to amend section 537 of the

Penal Code, relating to defrauding proprietors of hotels, inns, restaurants, boarding houses, lodging houses, furnished apartment houses, or furnished bungalow courts.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 131 read first time, and referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1309—An act to repeal section 593 of the Code of Civil Procedure;

Also: Assembly Bill No. 1313—An act to add a new section to the Code of Civil Procedure, to be numbered 953e, relating to the power of the court to grant a new trial in the event a stenographic reporter at the trial is unable because of death or other disability to transcribe the phonographic report as provided in section 953a of said code;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 1309 and 1313 ordered on file for second reading.
Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 568—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 568 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, strike out the comma, and insert in lieu thereof a period.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, and beginning on line 12 thereof, strike out the following: "and naming of persons who claim or might claim an interest therein as personal representative, heir, or devisee of the decedent, so far as known to the petitioner."

AMENDMENT NUMBER THREE.

On page 1, line 18, of the printed bill, strike out the parentheses.

AMENDMENT NUMBER FOUR.

On page 1, line 19, of the printed bill, strike out the parentheses.

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, and beginning on line 20 thereof, strike out the following: "Written notice of the time and place of the hearing, together with a copy of the petition, must be served upon any person named in the petition as representative, heir or devisee of the decedent, in the same manner as a summons, at least ten (10) days before the time set for the hearing or to which it may have been postponed."

Bill ordered to print, and re-referred to Committee on Judiciary.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 881—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class;

Also: Senate Bill No. 883—An act to amend section 16~~2~~44 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-fourth class;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Ingels:

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend sections 5.500 and 5.502 of the School Code, relating to classification of persons in positions requiring certification qualifications.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 120—An act to amend sections 3, 9, 12 and 20a of, and to add new sections numbered 3a, 3b, 3c and 12a to the California Real Estate Act, relating to the State Real Estate Department, the issuance and revocation of licenses, the examination of subdivision projects, and creating the California Real Estate Advisory Council.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 120 passed by the following vote:

AYES—Senators Breed, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Harper, Hays, Ingels, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 522—An act to amend section 3692 of the Political Code, relating to powers and duties of the State Board of Equalization.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 522 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 123—An act to amend section 4253 of the Political Code, relating to the salaries of the county officers of counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 123 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Slater, Treacy, Tubbs, Wag, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 179—An act to amend section 2322x24 of the Political Code, relating to the county horticultural commissioner, his deputies, inspectors and clerks in counties of the twenty-fourth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 179 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Slater, Treacy, Tubbs, Wag, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 552—An act to amend section 11 of chapter 176, Laws of 1913, as amended, by chapter 762, Laws of 1927, by providing that fees collected by the Industrial Accident Commission may be expended by said commission.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 552 to Senator Breed, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 1, of the printed bill, after the words "this section," delete the words "except those charged for transcripts of testimony,".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, after the words "general fund", insert a period and delete the following words: "and shall be accompanied by a detailed statement thereof. Fees charged and collected for transcripts of testimony shall be paid into the support funds of the industrial accident commission."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 552, with instructions to amend, respectfully reports the same back, amended as per instructions.

BREED, Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 639—An act to amend section 464 of the Penal Code, relating to burglary with acetylene torch, electric arc or explosive.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 639 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Inman, Jones, McCormack, Mixer, Moran, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, Wagyu, Williams, and Young—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 644—An act to amend section 182 of the Penal Code, relating to criminal conspiracy.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 644 passed by the following vote:

AYES—Senators Baker, Breed, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Jones, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Treacy, Wagyu, Williams, and Young—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 410—An act to amend section 364a of the Political Code, relating to the creation of a Division of Immigration and Housing in the Department of Industrial Relations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 410 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Carter, Cassidy, Christian, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, McCormack, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Treacy, Wagyu, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 682—An act to amend section 374b of the Penal Code and to add a new section thereto to be numbered section 375, relating to the deposit of nauseous, offensive or injurious substances in places of public assemblage or the manufacture thereof with the intent so to deposit.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 682 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Treacy, Tubbs, Wagyu, and Young—31.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Deuel:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, insert after the word "manufacture", the following: "or possession".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and re-engrossment, and transmitted to the Assembly.

Senate Bill No. 843—An act to amend sections 3.306 and 3.309 of the School Code and to repeal section 3.307 thereof, relating to the attendance of pupils in a high school district in which such pupils do not reside.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 843 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Fellom, Harper, Hays, Inman, Jones, McCormack, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Treacy, Tubbs, Waggy, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION.

The following resolution was offered:

By Senators Inman, Tubbs, Rochester and Maloney:

WHEREAS, Unfortunately, the Great Reaper has seen fit this day to remove from our midst Knute Rockne; and

WHEREAS, Knute Rockne, because of his many sterling qualities, not the least of which include unflinching courage, honesty and good sportsmanship; and

WHEREAS, Knute Rockne has grown to mean much to good, clean sports in the United States and because of his leadership has placed sports upon a higher plane than ever before; now, therefore,

The Senate of the State of California recognizes the qualities of said Knute Rockne as herein expressed, and desires to show its sincere regret at his untimely passing and realizes, with the country, that good clean sports has lost an outstanding example thereof; therefore, be it

Resolved, That when the Senate adjourns this day it do so in honor of the memory of a great sportsman, a clean gentleman, and a leader without parallel, Knute Rockne, and that a copy of these resolutions be spread upon the Journal and forward a copy thereof to the family of the deceased.

Resolution read, and on motion of Senator Inman, seconded by Senator Rochester, adopted.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 845—An act to amend section 3.350 of the School Code, relating to junior college courses of study maintained by high school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 845 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones,

McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Rochester, Swing, Treacy, Tubbs, Wag, and Young—30.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 566—An act to amend section 537 of the Civil Code, relating to liability for damage done fixtures and cables of a telegraph, telephone or electric power corporation and fixtures and pipe lines of a gas corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 566 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cleveland, Clock, Crittenden, Duval, Duval, Edwards, Fellom, Harper, Hays, Inman, Jones, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Swing, Treacy, Tubbs, Wag, Williams, and Young—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 698—An act to amend sections 3644 and 3646 of the Political Code, relating to taxation of boats and vessels.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 698 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Swing, Treacy, Tubbs, Wag, Williams, and Young—31.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 186—An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways and roads, streets, squares, lanes, alleys, courts and places within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Clock moved to refer Senate Bill No. 186 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 11, of the printed bill, strike out the word "fifty", and insert in lieu thereof the following: "twenty-five".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 186, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Committee.

Report read, and on motion of Senator Clock adopted.

Bill ordered to print and re-engrossment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Cassidy to introduce a bill entitled—An act to add a new section to the Political Code to be numbered 695, relating to a Bureau of Publications and Documents in the Department of Finance—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Treacy, Tubbs, Waggy, Williams, and Young—32.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILL.

The following bill was introduced:

By Senator Cassidy: Senate Bill No. 939—An act to add a new section to the Political Code to be numbered 695, relating to a Bureau of Publications and Documents in the Department of Finance.

Bill read first time, and referred to Committee on Governmental Efficiency.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 952—An act to repeal article I, embracing sections 4.460 to 4.468, both inclusive, and article II, embracing sections 4.480 to 4.485, both inclusive, of chapter IV of part III of division IV of the School Code, and to repeal chapter 620 of the Statutes of 1920, entitled "An act to allow the tax for the special building fund of any school district to be levied and expended without the vote of the district," approved May 31, 1929, all relating to special building funds and special school funds of elementary school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 952 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 953—An act to repeal article I, embracing sections 3.150 to 3.156, inclusive, of chapter II of part II of division III of the School Code, relating to contracts by governing boards of elementary school districts for the education of children.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 953 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 954—An act to amend section 4.320 of the School Code, relating to claims or demands against school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 954 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Schottky, Treacy, Tubbs, Wagy, Williams, and Young—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

NOTICE OF MOTION TO RECONSIDER.

Senator Duval gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 525 was passed.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 505—An act to amend section 626c of the Penal Code and to add two new sections to the Penal Code to be numbered 626c $\frac{1}{2}$ and 626c $\frac{3}{4}$, relating to the protection of game—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—15; committee vote: Ayes—11; absent—4.

YOUNG, Chairman.

Senate Bill No. 505 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1083—An act to amend the title and sections 1, 2, 3, 4, and 5, and to repeal section 6 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Industrial Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement, and providing penalties for violations," approved June 3, 1927, as amended, relating to the definition of clothes cleaning establishments, the transfer of certain functions connected therewith from the Department of Industrial Relations to the State Fire Marshal, the transference of funds from the Clothes Cleaning Establishment Fund to the State Fire Marshal's Fund, and to the abolition of the Division of Industrial Fire Safety—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—7.

(Signed out)

WILLIAMS, Chairman.
EVANS.
HARPER.
PEDROTTI.
SCHIOTTKY.
WAGY.
YOUNG.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Public Health and Quarantine, the following amendments to Assembly Bill No. 1083 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the word "and", occurring before the figure "5".

AMENDMENT NUMBER TWO.

In lines 1 and 2 of the title of the printed bill, strike out "to repeal section".

AMENDMENT NUMBER THREE.

In lines 9, 10 and 11 of the title of the printed bill, strike out "the transfer of certain functions connected therewith from the department of industrial relations to the state fire marshal".

AMENDMENT NUMBER FOUR.

In line 11 of the title of the printed bill, insert after the word "funds", the following: "and appropriations".

AMENDMENT NUMBER FIVE.

In line 13 of the title of the printed bill, strike out the words "abolition of".

AMENDMENT NUMBER SIX.

In line 14 of the title of the printed bill, strike out the period, and insert in lieu thereof the following: "in the department of industrial relations."

AMENDMENT NUMBER SEVEN.

On page 1 of the printed bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following: "of clothes cleaning establishments, providing for the enforcement thereof by the division of fire safety in the department of industrial relations, providing ways and means for enforcement and providing penalties for violations."

AMENDMENT NUMBER EIGHT.

On page 6, line 52, of the printed bill, strike out the period, and insert in lieu thereof the following: "and all appropriations heretofore or hereafter made to or from the clothes cleaning establishment fund shall be deemed to be made to or from the state fire marshal's fund".

AMENDMENT NUMBER NINE.

On page 14 of the printed bill, strike out line 9, and insert in lieu thereof the following:

"SEC. 7. Section 6 of said act is hereby amended to read as follows:

Sec. 6. On and after the ninety-first day after the adjournment of the 1931 Legislature the division of industrial fire safety shall be known as the division of fire safety. The state fire marshal shall be chief of the division of fire safety, and all powers and duties given by this act to the department of industrial relations or

to the state fire marshal shall be administered by the state fire marshal through said division of fire safety in the department of industrial relations."

Bill ordered to print, and re-referred to Committee on Public Health and Quarantine.

ADJOURNMENT.

At three o'clock and twenty-two minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned, out of respect to the memory of the late Knute Rockne, famous football coach of Notre Dame, until eleven o'clock a.m., Wednesday, April 1, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,

SACRAMENTO, Wednesday, April 1, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, Williams, and Young—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, March 31, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Rich was, on motion of Senator Deuel, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George W. Gerhard and Paul F. Fratessa of San Francisco.

On request of Senator Waggy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Henry C. Mack of Bakersfield.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Francis P. Healey of Richmond.

On request of Senator Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to E. M. Polley, principal of San Leandro High School, and Mrs. Polley.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to attorney Thomas P. Boyd and Thomas Boyd, Jr., of San Rafael.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. Charles W. Heyer of Hayward and Hon. Ralph Richmond of Niles, supervisors of Alameda County.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Vallejo High School, J. W. Vines and Helen Fawcett, teachers, and pupils as follows: Jeannette Benaroya, Daisy Barnewitz, Erma Pyke, Pearl Fawcett, Willis and Mae Kennon, Warren Hunt, William Brock, Virginia Harris, Irene Manner, Bill Rowe, Jean Burns, Chloe Harris, Daniel Robinson, Orval Cobb, Harrison Cutler, Grover Clark, Alfred Vines, Howard Morris, Harry Yates, Robert Taliferro and Ralph Winters, and Mrs. Ida B. Rutter.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Archie Mooney and daughter Myrtle, wife and daughter of Mr. Archie Mooney, organizer for State Building Trades Council.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Ralph T. Fisher, Ralph T. Fisher, Jr., Galen Reed Fisher, and Margaret Merriam Fisher, all of Oakland; also, Richard Huntley Chamberlain and Molly Harriet Chamberlain of Piedmont.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Danville Union Grammar School, Mayme Brothel, principal, and pupils as follows: Marie Camacho, Mildred Freitas, Margaret Wing, Melva Osborn, Mildred Moss, Ruth Schoener, Jean Miller, Dolores Peters, David Olsson, Robert Olsson, Roger Short, Walter Munroe, Grant Osborn, Thomas Mayo, and Mary M. Miller; also, Mr. and Mrs. H. T. Miller, Misses Collins, Donahue and McDonald; Mr. Lynch, and Mrs. Charles Wood.

On request of Senator McCormack, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. R. R. Pyke, Mrs. W. J. Brock, and Mrs. P. O. McKinnon of Vallejo.

On request of Senator Carter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. W. H. Reeder of Long Beach.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Regis Glaive.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Carl L. Kaufmann of Merced.

RESOLUTION.

The following resolution was offered:

By Senator Inman:

WHEREAS, The State Board of Education has contracted with an Eastern book publishing house to publish 300,000 copies of the elementary textbooks; and

WHEREAS, The State of California is maintaining a State Printing Plant at the State capital; and

WHEREAS, It is reported that said textbooks can be produced at a lower cost to the taxpayers of this State at its own printing plant; and

WHEREAS, The removing of this work from California will lead to further unemployment of California citizens; now, therefore, be it

Resolved by the Senate, That a special committee of three Senators be appointed by the President to investigate such action by the State Board of Education, in order

that the Senate may be informed of said facts to the end that it may act intelligently upon legislation regarding the matters and things herein set forth and to report its findings at the earliest possible date.

CONSIDERATION OF SENATE RESOLUTION.

Senator Inman asked for, and was granted, unanimous consent for the consideration of the above Senate Resolution, without reference to committee for purpose of adoption.

Resolution read, and on motion of Senator Inman adopted.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 30, 1931, concurred in Senate amendments to Assembly Bill No. 1624—An act to amend section 4251 of the Political Code, relating to the salaries and compensation in counties of the twenty-second class.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 27, 1931, concurred in Senate amendments to Assembly Bill No. 1608—An act to amend section 4282 of the Political Code, relating to salaries and fees of officers of counties of the fifty-third class;

Also: Assembly Bill No. 1614—An act to amend section 2322 $\frac{1}{2}$ 53 of the Political Code, relating to the office of agricultural commissioner in counties of the fifty-third class;

Also: Assembly Bill No. 1611—An act to amend section 16 $\frac{1}{2}$ 53 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifty-third class;

Also: Assembly Bill No. 51—An act to amend section 1 of an act entitled "An act to enable counties to purchase, lease, obtain, hold, improve and maintain land for the uses and purposes of public parks and boulevards," approved May 31, 1929, Statutes 1929, page 992.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 26, 1931, concurred in Senate amendments to Assembly Bill No. 25—An act to amend sections 851, 852, 852 $\frac{1}{2}$, 853, 854, 855, 857, 858, 859, 860, 861, and 862 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, as amended, relating to cities and towns of the sixth class;

Also: Assembly Bill No. 1506—An act to amend sections 1, 2, 3, 4, 5 and 6 of an act entitled "An act to create the office of State Fire Marshal, to provide for his powers and duties, and to repeal all acts or parts of acts inconsistent therewith," approved May 23, 1923, relating to the office of State Fire Marshal;

Also: Assembly Bill No. 1176—An act to amend section 820 of the Penal Code, relating to warrants of arrest.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 967—An act authorizing and directing the Governor of the State of California to grant to the United States of America an easement, the nature of which is described hereinafter, in and over a certain parcel of real property, heretofore acquired by the State of California in connection with the rectification of the San Joaquin River and Stockton Channel, which said parcel of real property is more particularly described hereinafter, said easement to be used by the United States in connection with the deepening, widening and rectification of the San Joaquin River and Stockton Channel, in accordance with an act of Congress entitled "An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes," approved by the President on January 21, 1927;

Also: Assembly Bill No. 214—An act to add a new section to the Political Code, to be numbered 4177, relating to the sheriff's duty in caring for money and property of prisoners;

Also: Assembly Bill No. 1887—An act authorizing the State of California to accept and receive title to certain real property to be used as the site of the erection of a hangar.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 967 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 214 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 1887 read first time, and referred to Committee on Governmental Efficiency.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 829—An act to amend the title, to amend sections 1, 1a, 2, 4, 5, and 10, and to add a new section, to be numbered section 20a, to an act entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways, roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes, or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expense of such improvement, and providing for aid from the county or municipalities toward the expense of such improvement," approved March 24, 1903, as amended, relating to street improvements;

Also: Assembly Bill No. 827—An act to provide for the maintenance by municipalities of lighting systems along public streets, alleys and other public places within municipalities or forming the exterior boundaries thereof, and for the lighting thereof by electric current or other illuminating agent; and for the assessment of the cost and expense thereof upon the property benefited and the manner of collecting such assessments;

Also: Assembly Bill No. 612—An act to amend section 239 of the Political Code, relating to organization of the Assembly;

Also: Assembly Bill No. 148—An act to amend section 2 of chapter 197, Statutes of 1901, entitled "An act relating to estrays, providing for taking them up and giving a lien on them for all damages, costs and expenses incurred by reason of taking them up, and repealing all other acts and parts of acts now in force relating to estrays," approved March 23, 1901, as amended, relating to the description of the property where estrays are retained;

Also: Assembly Bill No. 1077—An act to amend section 4149a of the Political Code, relating to the duties of county live stock inspector.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 829 and 827 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 612 read first time, and referred to Committee on Rules.

Assembly Bill No. 148 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 1077 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1140—An act providing for the formation, government and operation of harbor districts; for the creation, improvement, development and maintenance of recreational harbors; for the acquisition and improvement, government and operation of lands and works in connection therewith or appurtenant thereto, whether lying entirely within unincorporated territory of a county or wholly or partially including territory of one or more municipalities within such county, defining the term "recreational harbor," within the meaning of this act; and providing generally what may and may not be done

in such harbor so classified and authorizing the governing body of such harbor district to adopt rules and regulations in relation to said harbor, and to adopt and enforce ordinances restricting and governing the said harbor and its use, violation of any said ordinance being punishable as misdemeanors by fine or imprisonment, or both fine and imprisonment; providing a means for defraying the cost and expense of forming, constructing, improving, governing and operating such harbor district and harbors, and authorizing counties and cities, jointly and separately, to contribute out of their general funds the costs and expenses of such harbor district, and authorizing the incurring of indebtedness, the issuance of bonds and the levy and collection of taxes within such district and the enforcement of such bonds and taxes; authorizing the establishment of appropriate funds in the manner provided by law for the impounding and disbursement of the moneys required to meet such costs and expenses; providing for the levy of special assessments within such district to defray such costs and expenses, either wholly or partially, and authorizing the legislative body of the county or city assuming jurisdiction to call the election upon the question of the formation of such harbor district to determine what zone or zones, if any, within the proposed harbor district are to be benefited to a greater or less extent than other zone or zones, and to define said zones within such district and assess the cost of said harbor works and improvement within said district zones, and each of them, in accordance with the benefits so found to be enjoyed by the several zones therein delineated; providing and empowering such district to accept financial or other aid for improvements and operations from the United States of America, the State of California, and from any person or persons; providing the means whereby the legislative body of any city heretofore or hereafter granted any rights in respect to tidelands and submerged lands may permit the exercise of such rights by the board of governors of any harbor district formed hereunder and providing for the appointment within any such harbor district formed under this act of a board of governors and fixing the qualifications, tenure of office, powers, duties of such board of governors, and providing the means and terms by which territory may be annexed to any harbor district formed hereunder.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1140 read first time, and referred to Committee on Commerce and Navigation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 284—An act to add a new section, numbered 19c47, to the Juvenile Court Law, as amended, relating to probation officers in counties of the forty-seventh class:

Also: Assembly Bill No. 1590—An act to amend section 19c46, the Juvenile Court Law, relating to probation officers in counties of the forty-sixth class;

Also: Assembly Bill No. 1579—An act to amend section 19c48 of the Juvenile Court Law, relating to probation officers in counties of the forty-eighth class;

Also: Assembly Bill No. 1592—An act to amend section 19c45 of the Juvenile Court Law, relating to probation officers in counties of the forty-fifth class;

Also: Assembly Bill No. 1581—An act to amend section 16c49, Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-ninth class;

Also: Assembly Bill No. 1591—An act to amend section 16c46, Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-sixth class;

Also: Assembly Bill No. 1584—An act to amend section 19c49 of the Juvenile Court Law, relating to probation officers in counties of the forty-ninth class.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 284, 1590, 1579, 1592, 1581, 1591 and 1584 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 402—An act to add section 9a5 to an act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the fifth class;

Also: Assembly Bill No. 403—An act to amend section 16c5 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifth class;

Also: Assembly Bill No. 527—An act to amend section 1188 of the Political Code, relating to independent nominations;

Also: Assembly Bill No. 454—An act to amend section 1160 of the Political Code, relating to the opening and closing of the polls;

Also: Assembly Bill No. 456—An act to amend section 1264 of the Political Code, relating to elections;

Also: Assembly Bill No. 1254—An act to amend section 1197c of the Political Code, relating to ballots.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 402 and 403 read first time, and referred to Committee on County Government.

Assembly Bills Nos. 527, 454, 456 and 1254 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 646—An act to transfer all property which was acquired in any manner for the use of the California Industrial Farm for Women to the Sonoma State Home;

Also: Senate Bill No. 685—An act authorizing the Department of Finance to sell all of the right, title and interest of the State of California in and to certain real property situate in the county of San Joaquin, State of California;

Also: Senate Bill No. 438—An act to add four new sections to the Political Code, to be numbered 690a, 690b, 690c, and 690d, relating to the Division of Land Settlement and the State Department of Finance.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 646, 685 and 438 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 444—An act to amend sections 2 and 10 of chapter 16, Statutes of 1923, entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State;

Also: Senate Bill No. 58—An act to amend section 1 of chapter 316, Statutes of 1927, entitled "An act to regulate the method of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, to include justice of the peace court and all other inferior courts now existing or which may hereafter be provided by law;

Also: Senate Bill No. 407—An act to add a new section to be numbered section 693 to the Political Code, relating to the preparation and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, and to repeal "An act relating to the advertising and publication of notices, publications and advertisements by State officers, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the State Board of Control and vesting in the State Board of Control the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore given to any State officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," approved December 18, 1911;

Also: Assembly Bill No. 445—An act to amend sections 2 and 3 of chapter 301, Statutes of 1913, entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, relating to surplus money in the State treasury.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 444, 58, 407 and 445 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 57—An act to add a new section to the Penal Code to be numbered 374½, relating to the discharge of oily waste water from certain classes of vessels;

Also: Senate Bill No. 287—An act to regulate motor boats of less than 15 gross tons capacity, operating in California waters and carrying passengers for hire and providing a penalty for violation thereof;

Also: Senate Bill No. 869—An act to amend section 2322x27 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-seventh class;

Also: Senate Bill No. 874—An act to amend section 2322x38 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-eighth class;

Also: Senate Bill No. 876—An act to add section 9a38 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act.'" approved February 25, 1911, as amended, relating to librarians in counties of the thirty-eighth class;

Also: Senate Bill No. 877—An act to amend section 4267 of the Political Code, relating to compensation of county and township officers in counties of the thirty-eighth class;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 878—An act to amend section 16x38 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-eighth class;

Also: Senate Bill No. 880—An act to amend section 2322x44 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-fourth class;

Also: Senate Bill No. 882—An act to amend section 19x44 of the Juvenile Court Law, relating to probation officers in counties of the forty-fourth class;

Also: Senate Concurrent Resolution No. 23—Relative to requesting the Division of Motor Vehicles to use the full word "California" on all number plates;

Also: Senate Concurrent Resolution No. 25—Relative to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee for the purpose of considering and recommending the enactment of effective laws governing the traffic in narcotic drugs and related matters;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 50—An act to amend section 3716 of the Political Code, relating to the operation of taxes as a judgment or lien against property;

Also: Senate Bill No. 181—An act to amend sections 52 and 67 of the California Irrigation District Act, relating to the redemption or purchase of bonds and payment of interest, and to the creation of funds, and declaring the urgency thereof;

Also: Senate Bill No. 316—An act to revise chapter 712, Statutes of 1921, entitled "An act for the prevention of the adulteration or mislabeling of agricultural seed, providing for the indicating of the purity and viability thereof, and prescribing penalties for violations of the provisions hereof," approved June 3, 1921, as amended;

Also: Senate Bill No. 354—An act to amend section 2640 of the Political Code, relating to opening and improving roads;

Also: Senate Bill No. 536—An act to amend section 4041f of the Political Code, relating to powers of counties as to facilities for veterans;

Also: Senate Concurrent Resolution No. 11—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans and the Disabled American Veterans of the World War of the Department of California, respectively;

Also: Senate Joint Resolution No. 12—Relative to memorializing Congress to make an emergency appropriation as a loan to the Federal Reclamation Fund;

And reports that the same have been correctly enrolled and presented to the Governor on the thirty-first day of March, at four o'clock and thirty minutes p.m.

RILEY, Chairman.

ON BANKING.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Banking, to which was referred Assembly Bill No. 147—An act to amend section 4 of chapter 740, Statutes of 1927, entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of bonds of municipal water districts and bridge and highway districts as security—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—9; committee vote: Ayes—7; absent—2.

JONES, Chairman.

Assembly Bill No. 147 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Banking, to which was referred Senate Bill No. 654—An act to amend section 3265g of the Civil Code, relating to stopping payment of checks;

Also: Assembly Bill No. 1047—An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California;

Also: Assembly Bill No. 1048—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 25, 26, 32, 40, 44, 48a, 61, 65, 68, 83, 84, 105, 107, 123, 124, 133, 137 and 140, and by repealing section 17, and by adding new sections to be known as sections 8a, 16f, and 136c, all relating to the definition and regulation of the business of banking;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—7; absent—2.

JONES, Chairman.

Senate Bill No. 654 ordered on file for second reading.

Assembly Bills Nos. 1047 and 1048 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Assembly Bill No. 1315—An act to establish the line of ordinary high tide in certain parts of Newport Bay in Orange County, California, in conformity with certain decrees of the superior court of the State of California, in and for the County of Orange, establishing said line of ordinary high tide—has had the same under consideration, and respectfully reports the same back, and recommends it do pass.

Committee membership—9; committee vote: Ayes—4; absent—5.

CLEVELAND, Chairman.

Assembly Bill No. 1315 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Commerce and Navigation, to which was referred Senate Bill No. 935—An act granting to the City and County of San Francisco lands known as "Channel" or "Channel street" southwesterly from the northeasterly line of Seventh street in said city and county; and authorizing said City and County of San Francisco to dispose of portions of said street, or otherwise deal with or improve said portion of said street as said city and county may deem proper; and repealing all acts in conflict therewith—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—4; absent—5.

CLEVELAND, Chairman.

Senate Bill No. 935 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 342—An act to amend sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of adverse claims to real property, issuance and publication of summons, and the entry of judgment therein;

Also: Senate Bill No. 343—An act to add a new section to be known as section 751a of the Code of Civil Procedure, relating to a person who has received or taken title to real property in a certain name and thereafter disposes of it in a different name than the name in which it was received;

Also: Senate Bill No. 187—An act to fix the fees to be paid to referees, appraisers or commissioners appointed by the court in condemnation proceedings; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Senate Bills Nos. 342, 343 and 187 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 810—An act to amend section 365f of the Political Code, relating to the power of the California Highway Commission to acquire lands for highway and other purposes and to construct and maintain State highways and other improvements incident thereto—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

EDWARDS, Chairman.

Senate Bill No. 810 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Concurrent Resolution No. 10—Relative to the orderly addition of new roads to the State highway system, after engineering and economic studies by the California Highway Commission and the Department of Public Works—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—14; committee vote: Ayes—12; absent—2.

EDWARDS, Chairman.

Senate Concurrent Resolution No. 10 ordered on file for adoption.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Concurrent Resolution No. 18—Relative to highway extension for the purpose of developing agricultural natural resources—has had the same under consideration, and respectfully reports the same back, and recommends that it be adopted.

Committee membership—14; committee vote: Ayes—12; absent—2.

EDWARDS, Chairman.

Senate Concurrent Resolution No. 18 ordered on file for adoption.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Ingels to introduce a bill entitled: "An act to amend sections 5500 and 5502 of the School Code, relating to classification of persons in positions requiring certification qualifications"—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Ingels moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Riley, Rochester, Sharkey, Slater, Treacy, Waggy, and Young—26.

The Secretary announced the absentees.

Time, eleven o'clock and thirty-two minutes a.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

RESOLUTION.

The following resolution was offered:

By Senator Fellom:

WHEREAS, It appears that the State Board of Education has awarded a contract to a private corporation for the purchase of textbooks, including music texts, for the elementary schools of the State of California, including also subjects in which textbooks for the elementary schools of the State have been printed at the State Printing Office for a period of forty-six years; and

WHEREAS, It is the established policy of the State of California that all free textbooks for use in the elementary schools in the State be printed and published at the State Printing Office; and

WHEREAS, The State has invested large sums of money in building and equipment for the proper operation of the State Printing Plant and has employed many citizens of the State thereat, and it is to the best interests of the State and taxpayers thereof that said plant be operated, as nearly as may be, to capacity, the prudent and economic operation of said plant being dependent in part upon the continuance of the established policy that, so far as may be thoroughly consistent with the quality of the texts, books of the free textbook series be printed and published thereat; now, therefore, be it

Resolved, By the Senate of the State of California that the State Department of Finance is hereby urged and requested to withhold its approval from the award of the contract or contracts mentioned or referred to herein, until the subject hereof shall have been fully investigated and a report thereon made to the Senate; and be it further

Resolved, That the Secretary of the Senate is hereby directed forthwith to transmit to the State Department of Finance a certified copy of this resolution.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

CONSIDERATION OF SENATE RESOLUTION.

Senator Fellom asked for, and was granted, unanimous consent for the consideration of the preceding resolution, without reference to committee, for purpose of adoption.

MOTION.

Senator Nelson moved, seconded by Senator Breed, that Senator Fellom's resolution be referred to Committee on Education.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Fellom, Inman, and Tubbs on Senator Nelson's motion to refer Senator Fellom's resolution to the Committee on Education.

The roll was called, and Senator Nelson's motion lost by the following vote:

AYES—Senators Breed, Christian, Harper, Hays, McCormack, Nelson, Waggy, and Young—8.

NOES—Senators Allen, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Williams—27.

Resolution read, and on motion of Senator Fellom adopted.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At 12 o'clock and three minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Ingels.

The Secretary was directed to call the roll on the adoption of the report of the Senators who had not answered to their names.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—37.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Ingels: Senate Bill No. 940—An act to amend sections 5.500 and 5.502 of the School Code, relating to classification of persons in positions requiring certification qualifications.

Bill read first time, and referred to Committee on Education.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 683—An act to establish a retirement system to provide for the retirement of employees of the State of California, and make an appropriation therefor—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to this committee.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 683 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 12, of the printed bill, as amended in the Senate March 13, 1931, strike out "in", and insert in lieu thereof "of".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, as amended in the Senate March 13, 1931, strike out line 2, and insert in lieu thereof the following: "employee or officer, appointed or elected, of the state for compensation, and, for the purposes of this act, a member shall be considered as being in the "state service" only while he is receiving compensation from the state for such service;"

AMENDMENT NUMBER THREE.

On page 3, line 2, of the printed bill, as amended in the Senate March 13, 1931, strike out "by the state", and insert in lieu thereof "from state controlled funds".

AMENDMENT NUMBER FOUR.

On page 3, line 15, of the printed bill, as amended, strike out "act takes effect", and insert in lieu thereof "system becomes effective".

AMENDMENT NUMBER FIVE.

On page 3, line 21, of the printed bill, as amended, strike out "act takes effect", and insert in lieu thereof "system becomes effective".

AMENDMENT NUMBER SIX.

On page 3, line 24, of the printed bill, as amended, after "try", strike out "; and", and insert in lieu thereof a period.

AMENDMENT NUMBER SEVEN.

On page 3, line 42, of the printed bill, as amended, after "governor", insert a comma.

AMENDMENT NUMBER EIGHT.

On page 3 of the printed bill, as amended, strike out lines 47 to 49, inclusive, and insert in lieu thereof the following: "visions of any teachers' retirement system, except".

AMENDMENT NUMBER NINE.

On page 4, line 2, of the printed bill, as amended, strike out the comma following "tions"; also strike out the rest of line 2, and all of lines 3 and 4, and insert in lieu thereof a semicolon.

AMENDMENT NUMBER TEN.

On page 4, line 11, of the printed bill, as amended, strike out the period following "1932", and insert in lieu thereof the following: "; and all state employees coming within the meaning of this act, who are beneficiaries under the pension and retirement annuities system of the University of California";.

AMENDMENT NUMBER ELEVEN.

On page 4, line 28, of the printed bill, as amended, after "member", insert "and each person retired".

AMENDMENT NUMBER TWELVE.

On page 4, line 33, of the printed bill, as amended, after the period following "member", insert the following: "No member of the retirement system created by this act shall be a member of any other retirement system that is in any part supported by public funds."

AMENDMENT NUMBER THIRTEEN.

On page 4, line 43, of the printed bill, as amended, strike out "sixty", and insert in lieu thereof "thirty".

AMENDMENT NUMBER FOURTEEN.

On page 5, line 52, of the printed bill, as amended, strike out "this", and insert in lieu thereof "the".

AMENDMENT NUMBER FIFTEEN.

On page 6, line 4, of the printed bill, as amended, after "renewable", insert the following: ", except as provided herein,".

AMENDMENT NUMBER SIXTEEN.

On page 6, line 33, of the printed bill, as amended, strike out "cent (4%)", and insert in lieu thereof "centum".

AMENDMENT NUMBER SEVENTEEN.

On page 6, line 48, of the printed bill, as amended, after "granted", insert "to retired employees".

AMENDMENT NUMBER EIGHTEEN.

On page 7, line 42, of the printed bill, as amended, after the period following "system", strike out the rest of line 42, and all of lines 43 and 44; in line 45 strike out "tion."

AMENDMENT NUMBER NINETEEN.

On page 7, line 47, of the printed bill, as amended in the Senate March 13, 1931, strike out "average".

AMENDMENT NUMBER TWENTY.

On page 9, line 39, of the printed bill, as amended in the Senate March 13, 1931, strike out "Any", and insert in lieu thereof the following: "subject to the rules and regulations to be established and promulgated by the board of administration, any".

AMENDMENT NUMBER TWENTY-ONE.

On page 9, line 46, of the printed bill, as amended in the Senate March 13, 1931, after the period following "contributions", strike out the rest of line 46 and all of lines 47 to 51, inclusive.

AMENDMENT NUMBER TWENTY-TWO.

On page 10, line 9, of the printed bill, as amended in the Senate March 13, 1931, strike out the period following "fund", and insert in lieu thereof the following: ", the following:".

AMENDMENT NUMBER TWENTY-THREE.

On page 12, line 29, of the printed bill, as amended in the Senate March 13, 1931, strike out the comma following "sion", and insert in lieu thereof "for prior service".

AMENDMENT NUMBER TWENTY-FOUR.

On page 12, line 33, of the printed bill, as amended in the Senate March 13, 1931, after "allowance", insert the following: ", exclusive of the annuity provided by his accumulated additional contributions,".

AMENDMENT NUMBER TWENTY-FIVE.

On page 12, line 37, of the printed bill, as amended in the Senate March 13, 1931, strike out "at", and insert in lieu thereof the following: "upon his application or upon".

AMENDMENT NUMBER TWENTY-SIX.

On page 15, line 24, of the printed bill, as amended in the Senate March 13, 1931, after "member", insert "either".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 15, line 25, of the printed bill, as amended in the Senate March 13, 1931, after the comma following "service", insert the following: "or within four months after such member's discontinuance of state service, or while such member continuously, from the date of discontinuance of state service to death, is physically or mentally incapacitated to perform his duties,".

AMENDMENT NUMBER TWENTY-EIGHT.

On page 15, line 35, of the printed bill, as amended in the Senate March 13, 1931, immediately before "compensation", insert "annual".

AMENDMENT NUMBER TWENTY-NINE.

On page 16, lines 14 and 15, of the printed bill, as amended in the Senate March 13, 1931, strike out "except as a juror or as an election officer,".

AMENDMENT NUMBER THIRTY.

On page 16, line 27, of the printed bill, as amended in the Senate March 13, 1931, strike out "Out", and insert in lieu thereof "From and after the date the system created by this act takes effect, out".

AMENDMENT NUMBER THIRTY-ONE.

On page 16, line 30, of the printed bill, as amended in the Senate March 13, 1931, strike out "cent (5%)", and insert in lieu thereof "centum".

AMENDMENT NUMBER THIRTY-TWO.

On page 16, line 36, of the printed bill, as amended in the Senate March 13, 1931, strike out "cent (5%)", and insert in lieu thereof "centum".

AMENDMENT NUMBER THIRTY-THREE.

On page 16, line 40, of the printed bill, as amended in the Senate March 13, 1931, after "monthly", insert the following: "from and after the date the system created by this act takes effect,".

AMENDMENT NUMBER THIRTY-FOUR.

On page 16, line 43, of the printed bill, as amended in the Senate March 13, 1931, strike out "cent (5%)", and insert in lieu thereof "centum".

AMENDMENT NUMBER THIRTY-FIVE.

On page 16, line 49, of the printed bill, as amended in the Senate March 13, 1931, strike out "cent (5%)", and insert in lieu thereof "centum".

AMENDMENT NUMBER THIRTY-SIX.

On page 17, line 14, of the printed bill, as amended in the Senate March 13, 1931, strike out "treasurer", and insert in lieu thereof "treasury".

Bill ordered to print, and re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 392—An act appropriating money to pay the claim of J. A. Beck against the State of California—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that same do pass as amended.

Committee membership—18; committee vote: Ayes—16; absent—2.

SWING, Chairman.

Senate Bill No. 392 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 141—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to

release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 33, of the printed bill, strike out the words "or all of".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 37, of the printed bill, strike out the period and insert in lieu thereof a semicolon and the following: "*and provided further*, that no such priority shall be released, or assignment made of any such appropriation that will, in the judgment of the state department of finance, deprive the county in which such appropriated water originates, of any such water necessary for the development of such county."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 288—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 21, of the printed bill, after the word "ordinance", insert the following: "or resolution".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 3—An act to amend section 596 of the Penal Code, relating to the poisoning of any animal, the property of another.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 329—An act to revise the title and to amend sections 2, 3, 4, 5, 6, and 9 of chapter 847, Statutes of 1927, known as the California Apiary Inspection Act, approved May 31, 1927, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of lines 25 and 26, and insert in lieu thereof the following: "immature stages thereof, together with such materials as are deposited into hives by their adults, except honey and beeswax in rendered form."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out all of lines 1, 2 and 3.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 37, of the printed bill, after "appoint", add the following: "subject to the approval of the board of supervisors of such county,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 10, of the printed bill, strike out "be", and insert in lieu thereof "is".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 44, of the printed bill, after "inspection", strike out the rest of line 44, lines 45 and 46, and in line 47 strike out "bees.", and insert in lieu thereof the following: "shall plainly mark the hives containing diseased bees, and shall make a report of his inspection and findings to the agricultural commissioner. The commissioner shall in writing notify the owner or owners, person or persons in charge or in possession of such apiary, stating in the notice the nature of the disease found in each colony respectively, identifying such colony by reference to the mark placed upon the hive thereof, and ordering the eradication of such disease within a specified time."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 49, of the printed bill, strike out "any inspector", and insert in lieu thereof "the commissioner".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 52, of the printed bill, strike out "owners", and insert in lieu thereof "owner".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 4, line 1, of the printed bill, strike out "posted", and insert in lieu thereof "served by posting".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 3, of the printed bill, strike out "It shall be the duty of such", and insert in lieu thereof "Such".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 4, of the printed bill, immediately before "eradicate", strike out "to", and insert in lieu thereof "must".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 6, of the printed bill, strike out "in".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4, line 7, of the printed bill, strike out "this state".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 4, line 7, of the printed bill, strike out "be not", and insert in lieu thereof "not be".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 4, line 8, of the printed bill, strike out "forty-eight hours", and insert in lieu thereof "one hundred twenty hours from the time of serving the notice".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 4, line 13, of the printed bill, strike out "one foot", and insert in lieu thereof "two feet".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 4, line 29, of the printed bill, strike out "in this state".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 4, line 33, of the printed bill, strike out "one foot", and insert in lieu thereof "two feet".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 4, line 39, of the printed bill, after "exist", insert "therein".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 5, line 4, of the printed bill, immediately before the comma preceding "which", insert the following: "by the director of agriculture, or at his direction".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 5, line 10, of the printed bill, strike out "allowed", and insert in lieu thereof "specified".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 5, line 14, of the printed bill, strike out "or by", and insert in lieu thereof "and by".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 5, line 19, of the printed bill, after "apiary", add "located within this state".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 5, line 26, of the printed bill, immediately before "commis-", insert "county agricultural".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 734—An act regulating the sale of grain in sacks, defining the term grain, providing that the sacks shall be sold and purchased as part of the same transaction.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out lines 6 and 7, and also strike out "viding otherwise," in line 8 of the printed bill.

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 330—An act to amend section 457 of the Civil Code, relating to bonds of railroad corporations.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 505—An act to amend section 626c of the Penal Code and to add two new sections to the Penal Code to be numbered 626c $\frac{1}{2}$ and 626c $\frac{3}{4}$, relating to the protection of game.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 171—An act to require the Director of the Department of Natural Resources to register and mark buildings of historical interest, or landmarks.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 957—An act to repeal chapter 264 of the Statutes of 1905, approved March 18, 1905, as amended, entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a Forestry Fund, and appropriating the moneys in said fund, and defining and providing for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1044—An act providing for the granting of franchises in counties, cities and counties, cities or towns for the disposal or destruction, or both, of garbage and other waste.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out the comma at the end of said line, and insert in lieu thereof the following: "or".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out the comma and the following: "cities or towns".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 4, of the printed bill, strike out the first comma in said line, and "city and county, city or town", and insert in lieu thereof the following: "or city and county".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1056—An act to amend section 7 of an act entitled "An act regulating the sanitary conditions of bakeries, prescribing conditions connected with the manufacture and sale of bakery products and fixing penalties for violation of the provisions thereof," approved June 2, 1921, relating to the handling and sale of bread.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1007—An act to repeal sections 322 and 322a of the Civil Code, relating to corporations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended, line 4 thereof, after the word "affect", insert the words "any remedy or".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended, line 4, strike out the word "causes", and insert in lieu thereof the word "cause".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1303—An act to amend section 112 and repeal section 1163 of the Code of Civil Procedure, relating to jurisdiction of justices' courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1018—An act authorizing suits against the State to quiet title against it to real property required for highway purposes when deed to the State is recorded in conflict with agreement with State's representatives in the matter of its acquisition.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1016—An act to amend section 1174 of the Code of Civil Procedure, relating to judgments in proceedings for forcible entries, forcible or unlawful detainer.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1063—An act to add a new section to the Code of Civil Procedure to be numbered 1952, relating to the destruction or other disposal of exhibits introduced at the trial of civil actions or proceedings.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1309—An act to repeal section 593 of the Code of Civil Procedure.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1313—An act to add a new section to the Code of Civil Procedure, to be numbered 953e, relating to the power of the court to grant a new trial in the event a stenographic reporter at the trial is unable because of death or other disability to transcribe the phonographic reports as provided in section 953a of said code.

Bill read second time, and ordered on file for third reading.

MOTION TO RECONSIDER.

Pursuant to his notice given on a previous day, Senator Duval moved to reconsider the vote whereby Assembly Bill No. 525—An act to add a new section to the School Code to be numbered 4.353, relating to orders upon school district funds—was passed.

The question being on the motion to reconsider.

The roll was called, and the motion to reconsider the vote whereby Assembly Bill No. 525 was passed, carried by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagv, and Young—29.

NOES—None.

Assembly Bill No. 525 ordered on unfinished business file.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 367—An act to amend section 37a of chapter 25, Statutes of 1911, entitled the "Reclamation Board Act," approved December 24, 1911, as amended, relating to the application of moneys released, reimbursed, or appropriated under and pursuant to chapter 176, California Statutes of 1925, and the War Department Appropriations Act of Congress of the United States for the fiscal year ending June 30, 1930, being Public Law No. 843, Seventieth Congress, approved February 28, 1929.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 367 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagv, and Young—28.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Crittenden:

AMENDMENT NUMBER ONE.

In the title strike out "1911" in line 1, and insert in lieu thereof the following: "of 1911, extra session".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

Senate Bill No. 371—An act to amend sections 2 and 173 of chapter 774, Statutes of 1927, entitled "Sacramento and San Joaquin Drainage District Refunding Act," approved May 26, 1927, relating to the maintenance and operation of certain flood control project works and to the payment of assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 371 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 57—An act to add a new section to the Penal Code, to be numbered 374½, relating to the discharge of oily waste water from certain classes of vessels.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 57 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Rochester:

AMENDMENT NUMBER ONE.

In the title of the printed bill, lines 2 and 3, strike out "oily waste water from certain classes of vessels", and insert in lieu thereof the following: "oil from vessels".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

Senate Bill No. 869—An act to amend section 2322x27 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-seventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 869 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, Williams, and Young—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 25.

Relating to the suppression of traffic in narcotic drugs and authorizing the appointment of a committee for the purpose of considering and recommending the enactment of effective laws governing the traffic in narcotic drugs and related matters.

WHEREAS, The misuse of habit forming drugs constitutes a grave menace to society; and

WHEREAS, There is great need of continued vigorous action on the part of the State of California to combat this evil; and

WHEREAS, The State of California is particularly subject to the illegal traffic in narcotic drugs on account of its great accessibility by land and water; and

WHEREAS, A continued effort is necessary on the part of the State of California in order to curb successfully all drug addiction within its boundaries; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That there shall be and hereby is created a committee to be known as "State Narcotic Committee," consisting of one member of the Senate, to be appointed by the President of the Senate, and one member of the Assembly, to be appointed by the Speaker of the Assembly, for the purpose of considering the enactment of effective laws governing the traffic in narcotic drugs; and be it further

Resolved. That the committee shall also make a complete study of the entire subject of drug addiction in California, and shall gather such other necessary information, formulate recommendations, and prepare and submit to the next session of the Legislature of the State of California their findings therein; and be it further

Resolved. That the members of said committee shall receive no compensation for their services, but shall be paid their necessary traveling and other expenses. The sum of \$500 is hereby set aside from the Contingent Fund of the Senate, and a like sum from the Contingent Fund of the Assembly, and made available for the purpose of defraying expenses, of such committee and committeemen, which expenses shall be paid equally from such contingent funds of the Senate and Assembly, and the State Controller is hereby authorized and directed to draw his warrant in favor of the members of said committee for such expenditures as may be certified to him from time to time by said committee, and the State Treasurer is hereby authorized and directed to pay the same.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 25 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagye, Williams, and Young—30.

NOES—None.

Senate Concurrent Resolution No. 25 ordered transmitted to the Assembly.

RECESS.

On motion of Senator Breed, at twelve o'clock and thirty-five minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 552—An act to amend section 11 of chapter 176, Laws of 1913, as amended by chapter 762, Laws of 1927, by providing that fees collected by the Industrial Accident Commission may be expended by said commission—and reports that the same has been correctly re-engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 387—An act to amend sections 1357, 1358, 1359, 1360, 1361 and 1362 of the Political Code, relating to absent voters—and reports that the same has been correctly engrossed.

DEUEL, Vice Chairman.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 227—An act to amend section 1188 of the Political Code, relating to independent nominations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

FELLOM, Chairman.

Senate Bill No. 227 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation districts bonds now or hereafter issued or outstanding.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator McCormack moved to refer Senate Bill No. 733 to Senator Hays, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 7, line 13, of the printed bill, as amended in Senate March 5, 1931, insert at the beginning of said line the subsection number "14."

AMENDMENT NUMBER TWO.

On page 7 of the printed bill, as amended in Senate March 5, 1931, following line 35, insert a new sentence to read as follows: "Said items are hereby expressly declared to be incidental expenses of said district as incidental expenses are defined in section 3456 of the Political Code."

AMENDMENT NUMBER THREE.

On page 11, line 23, of the printed bill, as amended in Senate March 5, 1931, strike out "19.", and insert "20."

AMENDMENT NUMBER FOUR.

On page 11, line 27, of the printed bill, as amended in Senate March 5, 1931, strike out "20.", and insert "21."

AMENDMENT NUMBER FIVE.

On page 11, line 48, of the printed bill, as amended in Senate March 5, 1931, strike out "21.", and insert "22."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 733, with instructions to amend, respectfully reports the same back, amended as per instructions.

HAYS, Committee.

Report read, and on motion of Senator McCormack adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 420—An act to add a new section to the School Code, to be numbered 2.1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Hays moved to refer Senate Bill No. 420 to Senator Slater, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, after the word "shall", insert a comma and the following: "with the approval of the director of finance,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 420, with instructions to amend, respectfully reports the same back, amended as per instructions.

SLATER, Committee.

Report read, and on motion of Senator Hays adopted.

Bill ordered to print and re-engrossment.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1804—An act to amend section 19x21 of the Juvenile Court Law, relating to probation officers in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1804 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, and Young—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1824—An act to amend section 2322x21 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1824 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, Mixter, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, and Tubbs—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1792—An act to amend section 16x21 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-first class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1792 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman,

Maloney, McCormack, McKinley, Mixer, Pedrotti, Riley, Schottky, Sharkey, Slater, Treacy, Tubbs, and Waggy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

SENATE CONCURRENT RESOLUTION No. 23.

Relative to requesting the Division of Motor Vehicles to use the full word "California" on all number plates.

WHEREAS, The Division of Motor Vehicles designs the number plates issued yearly to comply with requirements of the California Vehicle Act; and,

WHEREAS, Section 42 (b) of said act provides that such plates shall have displayed upon them the word "California" or its abbreviation "Cal."; and,

WHEREAS, In designing such plates the division now uses the abbreviation rather than the full word; and,

WHEREAS, Automobiles registered in this State travel throughout the length and breadth of this country, and the abbreviation "Cal." is easily confused with the abbreviation used on the number plates issued by other states; and,

WHEREAS, The word "California" on number plates of automobiles traveling in other states would serve as a constant reminder of this State and would be an effective adjunct to the efforts of those who are advertising the advantages of California to the people of the nation; now, therefore, be it

Resolved by the Senate, the Assembly concurring, That the Division of Motor Vehicles be requested to use the full word "California" on all number plates hereafter issued by the division; and be it further

Resolved, That copies of this resolution be forwarded to the Director of Public Works, and to the Chief of the Division of Motor Vehicles.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 23 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, McCormack, McKinley, Mixer, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Waggy—30.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 23 ordered transmitted to the Assembly.

Assembly Bill No. 525—An act to add a new section to the School Code to be numbered 4.353, relating to orders upon school district funds.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Assembly Bill No. 525 to Senator Duval, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 5, of the printed bill, as amended in Assembly March 12, 1931, after the syllable "trict", insert the following: "during April, May or June of any school year".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 525, with instructions to amend, respectfully reports the same back, amended as per instructions.

DUVAL, Committee.

Report read, and on motion of Senator Jones adopted.

Bill ordered to print.

Senate Bill No. 552—An act to amend section 11 of chapter 176, Laws of 1913, as amended, by chapter 762, Laws of 1927, by providing that fees collected by the Industrial Accident Commission may be expended by said commission.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 552 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 308—An act to provide for the formation, management and dissolution of county fire protection districts composed of lands within one or more counties and annexations to such districts; to set forth the powers of such districts and to provide for levying and collecting taxes on property in such district to defray the expenses thereof.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 308 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, and Williams—35.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly

SENATE CONSTITUTIONAL AMENDMENT No. 8.

A resolution to propose to the people of the State of California to amend the constitution of said State by amending section 7½ of article XI, relating to charters of counties and the election of officers thereunder.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California at its regular session commencing on the fifth day of January, 1931, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that section 7½ of article XI of the constitution of said State be amended to read as follows:

Sec. 7½. Any county may frame a charter for its own government consistent with and subject to the constitution (or, having framed such a charter, may frame a new one,) and relating to matters authorized by provisions of the constitution, by causing a board of fifteen freeholders, who have been for at least five years qualified electors thereof, to be elected by the qualified electors of said county, at a general or special election. Said board of freeholders may be so elected in pursuance of an

ordinance adopted by the vote of three-fifths of all the members of the board of supervisors of such county, declaring that the public interest requires the election of such board for the purpose of preparing and proposing a charter for said county, or in pursuance of a petition of qualified electors of said county as hereinafter provided. Such petition, signed by fifteen per centum of the qualified electors of said county, computed upon the total number of votes cast therein for all candidates for Governor at the last preceding general election at which a Governor was elected, praying for the election of a board of fifteen freeholders to prepare and propose a charter for said county, may be filed in the office of the county clerk. It shall be the duty of said county clerk, within twenty days after the filing of said petition, to examine the same, and to ascertain from the record of the registration of electors of the county, whether said petition is signed by the requisite number of qualified electors. If required by said clerk, the board of supervisors shall authorize him to employ persons specially to assist him in the work of examining such petition, and shall provide for their compensation. Upon the completion of such examination, said clerk shall forthwith attach to said petition his certificate, properly dated, showing the result thereof, and if, by said certificate, it shall appear that said petition is signed by the requisite number of qualified electors, said clerk shall immediately present said petition to the board of supervisors, if it be in session, otherwise at its next regular meeting after the date of such certificate. Upon the adoption of such ordinance, or the presentation of such petition, said board of supervisors shall order the holding of a special election for the purpose of electing such board of freeholders, which said special election shall be held not less than twenty days nor more than sixty days after the adoption of the ordinance aforesaid or the presentation of said petition to said board of supervisors: *provided*, that if a general election shall occur in said county not less than twenty days nor more than sixty days after the adoption of the ordinance aforesaid, or such presentation of said petition to said board of supervisors, said board of freeholders may be elected at such general election. Candidates for election as members of said board of freeholders shall be nominated by petition, substantially in the same manner as may be provided by general law for the nomination, by petition of electors, of candidates for county offices, to be voted for at general elections. It shall be the duty of said board of freeholders, within one hundred twenty days after the result of such election shall have been declared by said board of supervisors, to prepare and propose a charter for said county, which shall be signed in duplicate by the members of said board of freeholders, or a majority of them, and be filed, one copy in the office of the county clerk of said county and the other in the office of the county recorder thereof. Said board of supervisors shall thereupon cause said proposed charter to be published for at least ten times in a daily newspaper of general circulation, printed, published and circulated in said county: *provided*, that in any county where no such daily newspaper is printed, published and circulated, such proposed charter shall be published for at least three times in at least one weekly newspaper, of general circulation, printed, published and circulated in such county: *and provided*, that in any county where neither such daily nor such weekly newspaper is printed, published and circulated, a copy of such proposed charter shall be posted by the county clerk in three public places in said county, and on or near the entrance to at least one public schoolhouse in each school district in said county, and the first publication or the posting of such proposed charter shall be made within fifteen days after the filing of a copy thereof, as aforesaid, in the office of the county clerk. Said proposed charter shall be submitted by said board of supervisors to the qualified electors of said county at a special election held not less than thirty days nor more than sixty days after the completion of such publication, or after such posting: *provided*, that if a general election shall occur in said county not less than thirty days nor more than sixty days after the completion of such publication, or after such posting, then such proposed charter may be so submitted at such general election. If a majority of said qualified electors, voting thereon at such general or special election, shall vote in favor of such proposed charter, it shall be deemed to be ratified, and shall be forthwith submitted to the Legislature, if it be in regular session, otherwise at its next regular session, or it may be submitted to the Legislature in extraordinary session, for its approval or rejection as a whole, without power of alteration or amendment. Such approval may be made by concurrent resolution, and if approved by a majority vote of the members elected to each house, such charter shall become the charter of such county and shall become the organic law thereof relative to the matters therein provided, and supersede any existing charter framed under the provisions of this section, and all amendments thereof, and shall supersede all laws inconsistent with such charter relative to the matters provided in such charter. A copy of such charter, certified and authenticated by the chairman and clerk of the board of supervisors under the seal of said board and attested by the county clerk of said county, setting forth the submission of such charter to the electors of said county, and its ratification by them, shall, after the approval of such charter by the Legislature, be made in duplicate, and filed, one in the office of the Secretary of State and the other, after being recorded

in the office of the recorder of said county, shall be filed in the office of the county clerk thereof, and thereafter all courts shall take judicial notice of said charter.

The charter, so ratified, may be amended by proposals therefor submitted by the board of supervisors of the county to the qualified electors thereof at a general or special election held not less than thirty days nor more than sixty days after the publication of such proposals for ten times in a daily newspaper of general circulation, printed, published and circulated in said county; *provided*, that in any county where no such daily newspaper is printed, published and circulated, such proposed charter shall be published for at least three times in at least one weekly newspaper, of general circulation, printed, published and circulated in such county; *provided*, that in any county where neither such daily nor such weekly newspaper is printed, published and circulated, a copy of such proposed charter shall be posted by the county clerk in three public places in said county, and on or near the entrance to at least one public schoolhouse in each school district in said county. If a majority of such qualified electors voting thereon, at such general or special election, shall vote in favor of any such proposed amendment or amendments, or any amendment or amendments proposed by petition as hereinafter provided, such amendment or amendments shall be deemed to be ratified, and shall be forthwith submitted to the Legislature, if it be in regular session, otherwise at its next regular session, or may be submitted to the Legislature in extraordinary session, for approval or rejection as a whole, without power of alteration or amendment, and if approved by the Legislature as herein provided for the approval of the charter, such charter shall be amended accordingly. A copy of such amendment or amendments shall, after the approval thereof by the Legislature, be made in duplicate, and shall be authenticated, certified, recorded and filed as herein provided for the charter, and with like force and effect. Whenever a petition signed by ten per centum of the qualified electors of any county, computed upon the total number of votes cast in said county for all candidates for Governor at the last general election, at which a Governor was elected, is filed in the office of the county clerk of said county, petitioning the board of supervisors thereof to submit any proposed amendment or amendments to the charter of such county, which amendment or amendments shall be set forth in full in such petition, to the qualified electors thereof, such petition shall forthwith be examined and certified by the county clerk, and if signed by the requisite number of qualified electors of such county, shall be presented to the said board of supervisors, by the said county clerk, as hereinbefore provided for petitions for the election of boards of freeholders. Upon the presentation of said petition to said board of supervisors, said board must submit the amendment or amendments set forth therein to the qualified electors of said county at a general or special election held not less than thirty days nor more than sixty days after the publication or posting of such proposed amendment or amendments in the same manner as hereinbefore provided in the case of the submission of any proposed amendment or amendments to such charter, proposed and submitted by the board of supervisors. In submitting any such charter, or amendments thereto, any alternative article or proposition may be presented for the choice of the electors, and may be voted on separately without prejudice to others.

Every special election held under the provisions of this section, for the election of boards of freeholders or for the submission of proposed charters, or any amendment or amendments thereto, shall be called by the board of supervisors, by ordinance, which shall specify the purpose and time of such election and shall establish the election precincts and designate the polling places therein, and the names of the election officers for each such precinct. Such ordinance, prior to such election, shall be published five times in a daily newspaper, or twice in a weekly newspaper, if there be no such daily newspaper, printed, published and circulated in said county; *provided*, that if no such daily or weekly newspaper be printed or published in such county, then a copy of such ordinance shall be posted by the county clerk in three public places in such county and in or near the entrance to at least one public schoolhouse in each school district therein. In all other respects, every such election shall be held and conducted, the returns thereof canvassed and the result thereof declared by the board of supervisors in the same manner as provided by law for general elections. Whenever boards of freeholders shall be elected, or any such proposed charter, or amendment or amendments thereto, submitted, at a general election, the general laws applicable to the election of county officers and the submission of propositions to the vote of electors, shall be followed in so far as the same may be applicable thereto.

It shall be competent, in all charters framed under the authority given by this section to provide, in addition to any other provisions allowable by this constitution, and the same shall provide, for the following matters:

1. For boards of supervisors and for the constitution, regulation and government thereof, for the times at which and the terms for which the members of said board shall be elected, for the number of members, not less than three, that shall constitute such boards, for their compensation and for their election, either by the electors of the counties at large or by districts; *provided*, that in any event said board shall consist of one member for each district, who must be a qualified elector thereof; and

2. For sheriffs, county clerks, treasurers, recorders, license collectors, tax collectors, public administrators, coroners, surveyors, district attorneys, auditors, assessors and superintendents of schools, for the election or appointment of said officers, or any of them, for the times at which and the terms for which, said officers shall be elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors, and, if appointed, for the manner of their appointment; and

3. For the number of justices of the peace and constables for each township, or for the number of such judges and other officers of such inferior courts as may be provided by the constitution or general law, for the election or appointment of said officers, for the times at which and the terms for which said officers shall be elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors, and if appointed, for the manner of their appointment; and

4. For the powers and duties of boards of supervisors and all other county officers, for their removal and for the consolidation and segregation of county offices, and for the manner of filling all vacancies occurring therein; *provided*, that the provisions of such charters relating to the powers and duties of boards of supervisors and all other county officers shall be subject to and controlled by general laws; and

4½. For the assumption and discharge by county officers of certain of the municipal functions of the cities and towns within the county, whenever, in the case of cities and towns incorporated under general laws, the discharge by county officers of such municipal functions is authorized by general law, or whenever, in the case of cities and towns organized under section 8 of this article, the discharge by county officers of such municipal functions is authorized by provisions of the charters, or by amendments thereto, of such cities or towns.

5. For the fixing and regulation by boards of supervisors, by ordinance, of the appointment and number of assistants, deputies, clerks, attaches and other persons to be employed, from time to time, in the several offices of the county, and for the prescribing and regulating by such boards of the powers, duties, qualifications and compensation of such persons, the times at which, and terms for which they shall be appointed, and the manner of their appointment and removal; and

6. For the compensation of such fish and game wardens, probation and other officers as may be provided by general law, or for the fixing of such compensation by boards of supervisors.

All elective officers of counties and of townships, of road districts and of highway construction divisions therein shall be nominated and elected in the manner provided by general laws for the nomination and election of such officers; *provided, however*, it shall be competent in such charters to provide any other mode for their nomination and/or election, and to adopt and provide for any system of proportional representation on the legislative or governing body of counties, also the manner of voting under such system.

All charters framed under the authority given by this section, in addition to the matters herein above specified, may provide as follows:

For offices other than those required by the constitution and laws of the State, or for the creation of any or all of such offices by boards of supervisors, for the election or appointment of persons to fill such offices, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors.

For offices hereafter created by this constitution or by general law, for the election or appointment of persons to fill such offices, for the manner of such appointment, for the times at which and the terms for which such persons shall be so elected or appointed, and for their compensation, or for the fixing of such compensation by boards of supervisors.

For the formation, in such counties, of road districts for the care, maintenance, repair, inspection and supervision only of roads, highways and bridges; and for the formation, in such counties, of highway construction divisions for the construction only of roads, highways and bridges; for the inclusion in any such district or division, of the whole or any part of any incorporated city or town, upon ordinance passed by such incorporated city or town authorizing the same, and upon the assent to such inclusion by a majority of the qualified electors of such incorporated city or town, or portion thereof, proposed to be so included, at an election held for that purpose; for the organization, government, powers and jurisdiction of such districts and divisions, and for raising revenue therein, for such purposes, by taxation, upon the assent of a majority of the qualified electors of such districts or divisions, voting at an election to be held for that purpose; for the incurring of indebtedness therefor by such counties, districts or divisions for such purposes respectively, by the issuance and sale, by the counties, of bonds of such counties, districts or divisions, and the expenditure of the proceeds of the sale of such bonds, and for levying and collecting taxes against the property of the counties, districts or divisions, as the case may be, for the payment of the principal and interest of such indebtedness at maturity; *provided*, that any such indebtedness shall not be incurred without the assent of

two-thirds of the qualified electors of the county, district or division, as the case may be, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also for a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same, and the procedure for voting, issuing and selling such bonds shall, except in so far as the same shall be prescribed in such charters, conform to general laws for the authorizing and incurring by counties of bonded indebtedness, so far as applicable; *provided, further*, that provisions in such charters for the construction, care, maintenance, repair, inspection and supervision of roads, highways and bridges for which aid from the State is granted shall be subject to such regulations and conditions as may be imposed by the Legislature.

Whenever any county has framed and adopted a charter, and the same shall have been approved by the Legislature, as herein provided, the general laws adopted by the Legislature in pursuance of sections 4 and 5 of this article, shall, as to such county, be superseded by said charter as to matters for which, under this section it is competent to make provision in such charter, and for which provision is made therein, except as herein otherwise expressly provided; and except that any such charter shall not affect the tenure of office of the elective officers of the county, or of any district, township or division thereof, in office at the time such charter goes into effect, and such officers shall continue to hold their respective offices until the expiration of the term for which they shall have been elected, unless sooner removed in the manner provided by law.

The charter of any county, adopted under the authority of this section, may be surrendered and annulled with the assent of two-thirds of the qualified electors of such county, voting at a special election, held for that purpose, and to be ordered and called by the board of supervisors of the county upon receiving a written petition, signed and certified as hereinabove provided for the purposes of the adoption of charters, requesting said board to submit the question of the surrender and annulment of such charter to the qualified electors of such county, and, in the event of the surrender and annulment of any such charter, such county shall thereafter be governed under general laws in force for the government of counties.

The provisions of this section shall not be applicable to any county that is consolidated with any city.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 8 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Christian, Clock, Duval, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, Waggy, and Williams—31.

NOES—None.

Senate Constitutional Amendment No. 8 ordered transmitted to the Assembly.

SENATE CONSTITUTIONAL AMENDMENT No. 9.

A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 8½ of article XI of the constitution of said State, relating to city charters and to the mode of elections held thereunder.

Resolved by the Senate, the Assembly concurring. That the Legislature of the State of California at its regular session commencing on the fifth day of January, 1931, two-thirds of the members elected to each of the two houses of the said Legislature voting therefor, hereby proposes to the people of the State of California, that the constitution of said State be amended by amending section 8½ of article XI thereof to read as follows:

Sec. 8½. It shall be competent, in all charters framed under the authority given by section 8 of this article, to provide, in addition to those provisions allowable by this constitution, and by the laws of the State as follows:

1. For the constitution, regulation, government, and jurisdiction of police courts, and for the manner in which, the times at which, and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensation of said judges and of their clerks and attaches; and for the establishment, constitution, regulation, government and jurisdiction of municipal courts and judges thereof, with such civil, criminal and magisterial jurisdiction as by law may be conferred upon inferior courts and judges thereof; and for the manner in which,

the times at which and the terms for which the judges of such courts shall be elected or appointed, and for the qualifications and compensations of said judges and of their clerks and attaches; *provided*, such municipal courts shall never be deprived of the jurisdiction given inferior courts created by general law.

In any city or any city and county, when such municipal court has been established, there shall be no other court inferior to the superior court; and pending actions, trials, and all pending business of inferior courts within the territory of such city or city and county, upon the establishment of any such municipal court, shall be and become pending in such municipal court, and all records of such inferior court shall thereupon be and become the records of such municipal court.

2. For the manner in which, the times at which, and the terms for which the members of boards of education shall be elected or appointed, for their qualifications, compensation and removal, and for the number which shall constitute any one of such boards.

3. For the manner in which, the times at which and the terms for which the members of the boards of police commissioners shall be elected or appointed; and for the constitution, regulation, compensation, and government of such boards and of the municipal police force.

4. For the manner in which and the times at which any municipal election shall be held and the result thereof determined; for the manner in which, the times at which, and the terms for which the members of all boards of election shall be elected or appointed, and for the constitution, regulation, compensation and government of such boards, and of their clerks and attaches, and for all expenses incident to the holding of any election.

It shall be competent in any charter framed in accordance with the provisions of this section, or section 8 of this article, for any city or consolidated city and county, and plenary authority is hereby granted, subject only to the restrictions of this article, to provide therein or by amendment thereto, the manner in which, the method by which, the times at which, and the terms for which the several county and municipal officers and employees whose compensation is paid by such city or city and county, excepting judges of the superior court, shall be elected or appointed, and for their recall and removal, and for their compensation, and for the number of deputies, clerks and other employees that each shall have, and for the compensation, method of appointment, qualifications, tenure of office and removal of such deputies, clerks and other employees. All provisions of any charter of any such city or consolidated city and county, heretofore adopted, and amendments thereto, which are in accordance herewith, are hereby confirmed and declared valid.

It shall be competent in such charters to provide any mode for the nomination and/or election of the officers of such city or city and county, and to adopt and provide for any system of proportional representation on the legislative body thereof, also the manner of voting under such system.

5. It shall be competent in any charter or amendment thereof, which shall hereafter be framed under the authority given by section 8 of this article, by any city having a population in excess of fifty thousand ascertained as prescribed by said section 8, to provide for the separation of said city from the county of which it has theretofore been a part and the formation of said city into a consolidated city and county to be governed by such charter, and to have combined powers of a city and county, as provided in this constitution for consolidated city and county government, and further to prescribe in said charter the date for the beginning of the official existence of said consolidated city and county.

It shall also be competent for any such city, not having already consolidated as a city and county to hereafter frame, in the manner prescribed in section 8 of this article, a charter providing for a city and county government, in which charter there shall be prescribed territorial boundaries which may include contiguous territory not included in such city, which territory, however, must be included in the county within which such city is located.

If no additional territory is proposed to be added, then, upon the consent to the separation of any such city from the county in which it is located, being given by a majority of the qualified electors voting thereon in such county and upon the ratification of such charter by a majority of the qualified electors voting thereon in such city, and the approval thereof by the Legislature, as prescribed in section 8 of this article, said charter shall be deemed adopted and upon the date fixed therein said city shall be and become a consolidated city and county.

If additional territory which consists wholly of only one incorporated city or town, or which consists wholly of unincorporated territory, is proposed to be added, then, upon the consent to such separation of such territory and of the city initiating the consolidation proposal being given by a majority of the qualified electors voting thereon in the county in which the city proposing such separation is located, and upon the ratification of such charter by a majority of the qualified electors voting thereon in such city so proposing the separation, and also upon the approval of the proposal hereinafter set forth, by a majority of the qualified electors voting thereon in the whole of such additional territory, and the approval of said charter by the Legislature, as prescribed in section 8 of this article, said charter shall be deemed

adopted, the indebtedness hereinafter referred to shall be deemed to have been assumed, and upon the date fixed in said charter such territory and such city shall be and become one consolidated city and county.

The proposal to be submitted to the territory proposed to be added shall be substantially in the following form and submitted as one indivisible question:

"Shall the territory (herein designate in general terms the territory to be added) consolidate with the city of (herein insert name of the city initiating the proposition to form a city and county government) in a consolidated city and county government, and shall the charter as prepared by the city of (herein insert the name of the city initiating such proposition) be adopted as the charter of the consolidated city and county, and shall the said added territory become subject to taxation along with the entire territory of the proposed city and county, in accordance with the assessable valuation of the property of the said territory, for the following indebtedness of said city (herein insert name of the city initiating such proposition) to wit: (herein insert in general terms reference to any debts to be assumed, and if none insert 'none')?"

If additional territory is proposed to be added, which includes unincorporated territory and one or more incorporated cities or towns, or which includes more than one incorporated city or town, the consent of any such incorporated city or town shall be obtained by a majority vote of the qualified electors thereof voting upon a proposal substantially as follows:

"Shall (herein insert the name of the city or town to be included in such additional territory) be included in a district to be hereafter defined by the city of (herein insert the name of the city initiating the proposition to form a city and county government) which district shall, within two years from the date of this election, vote upon a proposal submitted as one indivisible question that such district be then described and set forth shall consolidate with (herein insert name of the city initiating said consolidation proposition) in a consolidated city and county government, and also that a certain charter, to be prepared by the city of (herein insert name of the city initiating such proposition) be adopted as the charter of such consolidated city and county, and that such district become subject to taxation along with the entire territory of the proposed city and county in accordance with the assessable valuation of the property of said district for the following indebtedness of said city of (herein insert name of the city initiating such proposition) to wit: (herein insert in general terms, reference to any debts to be assumed and if none insert 'none')?"

Any and all incorporated cities or towns to which the foregoing proposal shall have been submitted and a majority of whose qualified electors voting thereon shall have voted in favor thereof, together with such unincorporated territory as the city initiating such consolidation proposal may desire to have included, the whole to form an area contiguous to said city, shall be created into a district by such city, and the proposal substantially as above prescribed to be used when the territory proposed to be added consists wholly of only one incorporated city or town, or wholly of unincorporated territory, shall, within two years, be submitted to the voters of said entire district as one indivisible question.

Upon consent to the separation of such district and of the city initiating the consolidation proposal being given by a majority of the qualified electors voting thereon in the county in which the city proposing such separation is located, and upon the ratification of such charter by a majority of the qualified electors voting thereon in such city, and upon the approval of the proposal hereinbefore set forth by a majority of the qualified electors voting thereon in the whole of said district so proposed to be added, and upon the approval of said charter by the Legislature, as prescribed in section 8 of this article, said charter shall be deemed adopted, the said indebtedness referred to in said proposal shall be deemed to have been assumed, and upon the date fixed in said charter, such district and such city shall be and become one consolidated city and county.

6. It shall be competent for any consolidated city and county now existing, or which shall hereafter be organized, to annex territory contiguous to such consolidated city and county, unincorporated or otherwise, whether situated wholly in one county, or parts thereof be situate in different counties, said annexed territory to be an integral part of such city and county; *provided*, that such annexation of territory shall only include any part of the territory which was at the time of the original consolidation of the annexing city and county, within the county from which such annexing city and county was formed, together with territory which was concurrently, or has since such consolidation been joined in a county government with the area of the original county not included in such consolidated city and county.

If additional territory, which consists wholly of only one incorporated city, city and county or town, or which consists wholly of unincorporated territory, is proposed to be annexed to any consolidated city and county now existing or which shall hereafter be organized, then, upon the consent to any such annexation being given by a majority of the qualified electors voting thereon in any county or counties in which any such additional territory is located, and upon the approval of such

annexation proposal by a majority of the qualified electors voting thereon in such city and county, and also upon the approval of the proposal hereinafter set forth by a majority of the qualified electors voting thereon in the whole of such territory proposed to be annexed, the indebtedness hereinafter referred to shall be deemed to have been assumed, and at the time stated in such proposal, such additional territory and such city and county shall be and become one consolidated city and county, to be governed by the charter of the city and county proposing such annexation, and any subsequent amendment thereto.

The proposal to be submitted to the territory proposed to be annexed, shall be substantially in the following form and submitted as one indivisible question:

"Shall the territory (herein designate in general terms the territory to be annexed) consolidate with the city and county of (herein insert the name of the city and county initiating the annexation proposal) in a consolidated city and county government, said consolidation to take effect (herein insert date when such consolidation shall take effect) and shall the said annexed territory become subject to taxation, as an integral part of the city and county so formed, in accordance with the assessable valuation of property of said territory for the following indebtedness of said city and county of (herein insert name of the city and county) to wit: (herein insert in general terms, reference to any debts to be assumed and if none insert 'none')?"

If additional territory including unincorporated territory and one or more incorporated cities, cities and counties, or towns, or including more than one incorporated city, city and county, or town, is proposed to be annexed to any consolidated city and county now existing or which shall hereafter be organized, the consent of each such incorporated city, city and county, or town, shall be obtained by a majority vote of the qualified electors of any such incorporated city, city and county, or town, voting upon a proposal substantially as follows:

"Shall (herein insert name of the city, city and county, or town, to be included in such annexed territory) be included in a district to be hereafter defined by the city and county of (herein insert the name of the city and county initiating the annexation proposal) which district shall within two years from the date of this election vote upon a proposal submitted as one indivisible question, that such district to be then described and set forth shall consolidate with (herein insert name of the city and county initiating the annexation proposal) in a consolidated city and county government, and that such district become subject to taxation, along with the entire territory of the proposed city and county in accordance with the assessable valuation of the property of said district for the following indebtedness of said city and county of (herein insert name of the city and county initiating the annexation proposal) to wit: (herein insert in general terms, reference to any debts to be assumed and if none insert 'none')?"

Any and all incorporated cities, cities and counties, or towns, to which the foregoing proposal shall have been submitted, and a majority of whose qualified electors voting thereon shall have voted in favor thereof, together with such unincorporated territory as the city and county initiating such annexation proposal may desire to have included, the whole to form an area contiguous to said city and county, shall be created into a district by said city and county, and the proposal substantially in the form above set forth to be used when the territory proposed to be added consists wholly of only one incorporated city, city and county, or town, or wholly of unincorporated territory, shall, within said two years, be submitted to the voters of said entire district as one indivisible question.

Upon consent to any such annexation being given by a majority of the qualified electors voting thereon in any county or counties in which any such territory proposed to be annexed to said city and county is located, and upon the approval of any such annexation proposal by a majority of the qualified electors voting thereon in such city and county proposing such annexation, and also upon the approval of the proposal hereinbefore set forth by a majority of the qualified electors voting thereon in the whole of the district so proposed to be annexed, then, the said indebtedness referred to in said proposal shall be deemed to have been assumed, and upon the date stated in such annexation proposal such district and such city and county shall be and become one consolidated city and county, to be governed by the charter of the city and county proposing such annexation, and any subsequent amendment thereto.

Whenever any proposal is submitted to the electors of any county, territory, district, city, city and county, or town, as above provided, there shall be published, for at least five successive publications, in a newspaper of general circulation printed and published in any such county, territory, district, city, city and county, or town, the last publication to be not less than twenty days prior to any such election, a particular description of any territory or district to be separated, added, or annexed, together with a particular description of any debts to be assumed, as above referred to, unless such particular description is contained in the said proposal so submitted. In addition to said description, such territory shall also be designated in such notice by some appropriate name or other words of identification, by which such territory may be referred to and indicated upon the ballots to be

used at any election at which the question of annexation or consolidation of additional territory is submitted as herein provided. If there be no such newspaper so printed and published in any such county, territory, district, city, city and county, or town, then such publication may be made in any newspaper of general circulation printed and published in the nearest county, city, city and county, or town where there may be such a newspaper so printed and published.

If, by the adoption of any charter, or by annexation, any incorporated municipality becomes a portion of a city and county, its property, debts and liabilities of every description shall be and become the property, debts and liabilities of such city and county.

Every city and county which shall be formed, or the territory of which shall be enlarged as herein provided from territory taken from any county or counties, shall be liable for a just proportion of the debts and liabilities and be entitled to a just proportion of the property and assets of such county or counties, existing at the time such territory is so taken.

The provisions of this constitution applicable to cities, and cities and counties, and also those applicable to counties, so far as not inconsistent or prohibited to cities, or cities and counties, shall be applicable to such consolidated city and county government; and no provision of subdivision five or six of this section shall be construed as a restriction upon the plenary authority of any city or city and county having a freeholders' charter, as provided for in this constitution, to determine in said charter any and all matters elsewhere in this constitution authorized and not inconsistent herewith.

The Legislature shall provide for the formation of one or more counties from the portion or portions of a county or counties remaining after the formation of or annexation to a consolidated city and county, or for the transfer of such portion or portions of such original county or counties to adjoining counties. But such transfer to an adjoining county shall only be made after approval by a majority vote of the qualified electors voting thereon in such territory proposed to be so transferred.

The provisions of section 2 of this article, and also those provisions of section 3 of this article which refer to the passing of any county line within five miles of the exterior boundary of a city or town in which a county seat of any county proposed to be divided is situated, and to the reducing of the population of any county upon the establishment of a new county, and to the minimum population on the forming of a new county, shall not apply to the formation of, nor to the extension of the territory of such consolidated cities and counties, nor to the formation of new counties, nor to the annexation of existing counties, as herein specified.

Any city and county formed under this section shall have the right, if it so desires, to be designated by the official name of the city initiating the consolidation as it existed immediately prior to its adoption of a charter providing for a consolidated city and county government, except that such city and county shall be known under the style of a city and county.

It shall be competent in any charter framed for a consolidated city and county, or by amendment thereof, to provide for the establishment of a borough system of government for the whole or any part of the territory of said city and county, by which one or more districts may be created therein, which districts shall be known as boroughs and which shall exercise such municipal powers as may be granted thereto by such charter, and for the organization, regulation, government and jurisdiction of such boroughs; *provided*, that in the event of such establishment or creation of a borough or boroughs, as hereinabove permitted, the boundaries thereof shall never afterwards be changed or altered, nor shall the governmental rights, powers or jurisdiction of any such borough or boroughs be thereafter limited, extended, modified or taken away, unless and until the borough or boroughs affected by such proposed change or alteration of boundaries, or by the proposed limitation, extension, modification or taking away of governmental rights, powers or jurisdiction, as the case may be, shall each have consented thereto, by the vote of a majority of the voters in each and every such borough, voting at an election or elections called and held for such purpose in each of the boroughs so affected.

No property in any territory hereafter consolidated with or annexed to any city or city and county shall be taxed for the payment of any indebtedness of such city or city and county outstanding at the date of such consolidation or annexation and for the payment of which the property in such territory was not, prior to such consolidation or annexation, subject to such taxation, unless there shall have been submitted to the qualified electors of such territory the proposition regarding the assumption of indebtedness as hereinbefore set forth and the same shall have been approved by a majority of such electors voting thereon.

7. In all cases of annexation of unincorporated territory to an incorporated city, or the consolidation of two or more incorporated cities, assumption of existing bonded indebtedness by such unincorporated territory or by either of the cities so consolidating may be made by a majority vote of the qualified electors voting thereon in the territory or city which shall assume an existing bonded indebtedness. This provision shall apply whether annexation or consolidation is effected under this

section or any other section of this constitution, and the provisions of section 18 of this article shall not be a prohibition thereof.

The Legislature shall enact such general laws as may be necessary to carry out the provisions of this section and such general or special laws as may be necessary to carry out the provisions of subdivisions five and six of this section, including any such general or special act as may be necessary to permit a consolidated city and county to submit a new charter or charter amendment to take effect at the time that any consolidation, by reason of annexation to such consolidated city and county, takes effect, and, also, any such general law or special act as may be necessary to provide for any period after such consolidation, by reason of such annexation, takes effect, and prior to the adoption and approval of any such new charter or charter amendment.

Amendment read.

The question being on the adoption of the amendment.

The roll was called, and Senate Constitutional Amendment No. 9 adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Nelson, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wag, Williams, and Young—34.

NOES—None.

Senate Constitutional Amendment No. 9 ordered transmitted to the Assembly.

ADJOURNMENT.

At three o'clock and twenty-two minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Thursday, April 2, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, April 2, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Wag, and Young—32.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 1, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Williams was, on motion of Senator Moran, granted leave of absence for this day.

Senator Nelson was, on motion of Senator Breed, granted leave of absence for this day.

Senator Crittenden was, on motion of Senator Maloney, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to N. Morrissey, Sr., of San Francisco.

On request of Senator Bush, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Ed. Rodden, E. F. Harlan, Louis Meyer, Wm. E. Grant and W. T. Kerr of Oakdale, also August Glaive and C. H. McCharles of Berkeley.

On request of Senators Breed and Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Sheldon Branstein and Andrew Dalziel of San Leandro.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Louise Alexander, teacher of civics, Richmond Union High School.

On request of Senator Cassidy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to C. Raymond Clinch of Grass Valley.

On request of Senator Breed, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mitchell Kushins, Fred J. Carash and Voyle Fowle of the University High School of Oakland, Charles Kertes of California School for Blind at Berkeley, and Herbert Greenhood of Piedmont High School at Piedmont.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. Robert J. McSheehy, son of Supervisor James B. McSheehy of San Francisco.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to George Connors.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Andrew R. Schottky, Jr., son of Senator Schottky of Merced.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Folsom Grammar School, M. A. Becker, teacher, and pupils as follows: Miriam Becker, Betty Cowan, Mercedes McDonald, Mary McDonald, Lyod Bunker, Bob Buchanan, Joe Jorgensen, Harry Plummer, Amy Dean, Lorene Walker, Loraine Libersart, Tony Tucker, Harold Myers, Robert Van Rankin, Jessie Maderas, Regina Stoehr, Agnes Horn, Alice Hughes, Charlotte Berg, Charles Osborn, Maty Anda Smith, Clem Rumsey, John Vance, Clayton Crowle, Norman Chappell, Roy Ellis, John Severcool, Jenevieve Payen, Lenora Brugger, Lewis Weigand, Kenneth Hodgekin, Mabel Durham, Theresa Souza and Rika Grant.

On request of Senators Riley and Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. R. McCarthy of Bishop, California.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Congressman Phil Swing, brother of Senator Ralph Swing.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 24, 1931, concurred in Senate amendments to Assembly Bill No. 1863—An act to amend sections 1148 and 1193 of the Penal Code, relating to the appearance of the defendant in criminal cases upon the return of the verdict therein and upon the pronouncement of judgment therein.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 23, 1931, concurred in Senate amendments to Assembly Bill No. 297—An act to amend section 692 of the Code of Civil Procedure, relating to the giving of notice of the sale of property under execution or under the provisions of any deed of trust.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 120—An act to amend section 718 of the Civil Code, relating to the leasing of municipal property;

Also: Assembly Bill No. 1008—An act to repeal title XIX of part IV of division I of the Civil Code of the State of California, including section 653a of the Civil Code of the State of California, relating to cooperative business corporations;

Also: Assembly Bill No. 1009—An act to repeal title XX of part IV of division I of the Civil Code of the State of California, including sections 653b, 653c, 653d, 653e, 653f, 653g, 653h, 653i, 653j, 653k, and 653l of the Civil Code of the State of California, relating to cooperative associations;

Also: Assembly Bill No. 1010—An act to repeal title XXII of part IV of division I of the Civil Code of the State of California, including sections 653t, 653u, 653v, 653w, 653x, 653y, 653z, 653za, 653zb, 653zc, and 653zd of the Civil Code of the State of California, relating to nonprofit cooperative corporations;

Also: Assembly Bill No. 1380—An act to amend section 4246 of the Political Code, relating to the salaries, fees and expenses of officers and their deputies and assistants in counties of the seventeenth class;

Also: Assembly Bill No. 1601—An act to amend section 4280 of the Political Code, relating to compensation of county and township officers in counties of the fifty-first class;

Also: Assembly Bill No. 1302—An act to amend section 29 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to civil jurisdiction of said court;

Also: Assembly Bill No. 408—An act to amend section 1096 of the Political Code, relating to registration of electors.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 120 read first time, and referred to Committee on Municipal Corporations.

Assembly Bills Nos. 1008, 1009, 1010 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1380 and 1601 read first time, and referred to Committee on County Government.

Assembly Bill No. 1302 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 408 read first time, and referred to Committee on Elections.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on March 31, 1931, passed Assembly Bill No. 393—An act to amend section 209 of the Penal Code, relating to the commission of the crime of kidnapping;

Also: Assembly Bill No. 1225—An act to amend section 644 of the Penal Code, relating to the punishment of habitual criminals.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 393 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 1225 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Constitutional Amendment No. 26—Proposed amendment to article IV of the constitution, relative to boxing, sparring and wrestling matches or exhibitions.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Constitutional Amendment No. 26 read and referred to Committee on Constitutional Amendments.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1153—An act to amend sections 1113, 1115, 1120, 1121 of the Political Code, relating to registration of electors and conduct of elections;

Also: Assembly Bill No. 1268—An act to amend section 4395 of the School Code, relating to the deposit of money received from taxes levied upon a school district situated in two or more counties;

Also: Assembly Bill No. 1269—An act to amend section 4896 of the School Code, relating to the apportionment of the county high school fund;

Also: Assembly Bill No. 1486—An act to add a new section to the School Code to be numbered 636, relating to the powers and duties of governing boards of school districts.

ARTHUR A. OHNIMUS, Chief Clerk.

By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1153 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 1268, 1269 and 1486 read first time, and referred to Committee on Education.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Assembly Joint Resolution No. 8—Relative to the increase in power of radio station KQW—has had the same under consideration, and respectfully reports the same back, and recommends that the resolution be adopted.

Committee membership—5; committee vote: Ayes—5.

(Signed out)

SCHOTTKY, Chairman.

HARPER.

MCCORMACK.

RILEY.

WAGY.

Assembly Joint Resolution No. 8 ordered on file.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 538—An act to add a new section to be numbered 15a, to chapter 189, Statutes of 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, to be numbered 15a, relating to the expenditure of money by the board of directors to advertise the electrical business of the irrigation district—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and it do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Senate Bill No. 538 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 480—An act to amend section 627 of the Penal Code, relating to trespass—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Assembly Bill No. 480 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 702—An act to repeal chapter 353, Statutes of 1913, entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bill No. 702 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 256—An act to amend section 427 of the Code of Civil Procedure, relating to causes of action which may be united;

Also: Assembly Bill No. 568—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property; Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Assembly Bills Nos. 256 and 568 ordered on file for second reading.

ON MUNICIPAL CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 397—An act to add two new sections to be numbered 865 and 1532½ to the Probate Code, relating to dedication of real property for street or highway purposes by executors, administrators and guardians—has had the same under consideration, and respectfully recommends that the bill be re-referred to the Committee on Judiciary.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Assembly Bill No. 397 ordered re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Senate Bill No. 934—An act to amend sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Senate Bill No. 934 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 970—An act to amend section 5 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of the bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violation thereof," approved May 17, 1923—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Assembly Bill No. 970 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Municipal Corporations, to which was referred Assembly Bill No. 1054—An act to amend the title of and section 1, as amended, and section 3 of the act entitled "An act to make available for the use of the United States government suitable places in this State for the public defense, and for that purpose authorizing any county or municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereof, acquire by condemnation or otherwise land within the county or municipal corporation, and in consideration of the benefits to be derived therefrom by such county or municipal corporation to convey the same to the United States; conferring on such counties and municipal corporations the power of eminent domain for the purposes of this act, and providing the procedure therefor; granting the consent of the State to such conveyance, and ceding exclusive jurisdiction to the United States over the lands so conveyed," approved May 27, 1921, by conferring on any county, city and county, or municipal corporation now or hereafter organized, the power to acquire land within or without the county, city and county, or municipal corporation, and to convey the same to the United States;

Also: Assembly Bill No. 1626—An act to validate proceedings had and taken by municipalities under that certain act entitled "An act to amend an act entitled 'An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of annexed territory,' which became a law without the Governor's approval March 2, 1899, by amending section 1 thereof, relating to annexation of uninhabited territory," approved May 23, 1929; Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—9; committee vote: Ayes—6; absent—3.

HARPER, Chairman.

Assembly Bills Nos. 1054 and 1626 ordered on file for second reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 651—An act to amend section 11 of chapter 387, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, relating to sale of the title to lands in such water districts of which the district was purchaser at a delinquent tax sale:

Also: Assembly Bill No. 743—An act establishing and validating the organization and existence of irrigation districts;

Also: Assembly Bill No. 744—An act to amend the California Irrigation District Act by adding thereto a new section to be numbered 48a, relating to clearing the title to land sold to the district for delinquent assessments;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Assembly Bills Nos. 651, 743, and 744 ordered on file for second reading.

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 273—An act to add a new section to the Political Code of the State of California to be numbered 3476a, relating to the cancellation by boards of supervisors of assessments or portions of assessments levied by reclamation districts on the lands within said districts;

Also: Senate Bill No. 330—An act to amend section 457 of the Civil Code, relating to bonds of railroad corporations;

Also: Senate Bill No. 505—An act to amend section 626c of the Penal Code and to add two new sections to the Penal Code to be numbered 626c½ and 626c¾, relating to the protection of game;

Also: Senate Concurrent Resolution No. 18—Relative to highway extension for the purpose of developing agricultural and natural resources;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 186—An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways and roads, streets, squares, lanes, alleys, courts, and places, within municipalities, or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees;

Also: Senate Bill No. 323—An act to amend section 607 of the Penal Code, relating to the destroying or injuring of reclamation or drainage ditches;

And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

ON REAPPORTIONMENT.

SENATE CHAMBER, SACRAMENTO, March 31, 1931.

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Assembly Bill No. 301—An act to amend section 78 of the Political Code, relating to Senatorial and Assembly districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the same do pass as amended.

Committee membership—15; committee vote: Ayes—13; noes—2.

McKINLEY, Chairman.

SECOND READING OF ASSEMBLY BILL NUMBER THREE HUNDRED ONE.

Assembly Bill No. 301—An act to amend section 78 of the Political Code, relating to Senatorial and Assembly districts.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3 of the printed bill, beginning with line 11, strike out the remainder of the bill and insert in lieu thereof the following:

"1. The counties of Del Norte, Humboldt and Mendocino shall constitute the first assembly district.

2. The counties of Siskiyou, Modoc, Lassen, Shasta, Trinity and Plumas shall constitute the second assembly district.

3. The counties of Tehama, Glenn, Colusa and Yolo shall constitute the third assembly district.

4. The counties of Sierra, Nevada, Butte, Yuba and Sutter shall constitute the fourth assembly district.

5. The counties of Lake, Napa and Solano shall constitute the fifth assembly district.

6. The counties of Placer, El Dorado, Amador, Alpine, Mono, Calaveras, Tuolumne, Mariposa and Inyo shall constitute the sixth assembly district.

7. The counties of Sonoma and Marin shall constitute the seventh assembly district.

8. All that portion of the county of Sacramento, included within the city of Sacramento as of January 1, 1927, lying north of the center of "K" street, and east of the center of Thirty-first street, and south of the center of "Y" street and east of the center of Franklin boulevard, and all that portion of said Sacramento county included within the boundaries of "American township," "Brighton township," "Center township," and "Granite township," as said townships existed on the first day of January, 1927, shall constitute the eighth assembly district.

9. All that portion of the county of Sacramento not included in the eighth assembly district, as fixed and defined by this section, shall constitute the ninth assembly district.

10. The county of Contra Costa shall constitute the tenth assembly district.

11. All that portion of the county of San Joaquin comprising the city of Stockton as of January 1, 1927, shall constitute the eleventh assembly district.

12. All that portion of the county of San Joaquin not included in the eleventh assembly district, as fixed and defined by this section, shall constitute the twelfth assembly district.

13. All of that portion of the county of Alameda lying southerly and easterly of a line described as follows:

Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county; thence easterly and northerly along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships; thence easterly, northeasterly and easterly along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence in a general northerly direction along said boundary line to the center of East Fourteenth street; thence northwesterly following along the center line of East Fourteenth street to the center line of Seminary avenue; thence northeasterly along the center line of Seminary avenue to the center line of Mountain boulevard; thence northeasterly and southeasterly along the center line of Mountain boulevard to its intersection with the line known as the Brothers line, being the dividing line between the A. M. Peralta and Ygnacio Peralta portion of the Rancho San Antonio; thence northeasterly along said Brothers line to the line between Eden and Brooklyn townships on the northeasterly boundary line of the city of Oakland; thence following the northeast boundary line of the city of Oakland in a northwesterly direction, to its intersection with the northeasterly boundary line of the county of Alameda, shall constitute the thirteenth assembly district.

14. All of that portion of the county of Alameda described as follows:

Beginning at a point where the boundary line between Eden and Alameda townships intersects the westerly boundary line of Alameda county; thence easterly and northerly along the boundary line of Alameda township to the line dividing Brooklyn and Eden townships; thence easterly, northeasterly and easterly along the boundary line between Eden and Brooklyn townships to the southwesterly boundary line of the town of San Leandro; thence northerly and easterly along said boundary line to the center of East Fourteenth street; thence northwesterly along the center line of East Fourteenth street to its intersection with the center line of Fruitvale avenue; thence northeasterly along the center line of Fruitvale avenue to its intersection with the center line of Foothill boulevard; thence westerly along the center line of Foothill boulevard to its intersection with the center line of Fourteenth avenue; thence southwesterly along the center line of Fourteenth avenue to its intersection with the center line of Foothill boulevard; thence northwesterly along the center line of Foothill boulevard to its intersection with the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue to its intersection with the center line of Hopkins street; thence northwesterly along the center line of Hopkins street to its intersection with the center line of Excelsior avenue; thence northwesterly along the center line of Excelsior avenue and along its direct extension northwesterly to the northwesterly line of Lake Shore avenue; thence southwesterly along the northwesterly line of Lake Shore avenue to a point where it is intersected by the direct extension easterly of the southerly shore line of Lake Merritt; thence westerly along said direct extension of the southerly shore line of Lake Merritt and along the southerly shore line of Lake Merritt to its intersection with the line dividing Oakland and Brooklyn townships; thence southwesterly along said township line to its intersection with the northerly boundary line of Alameda township; thence westerly following along the said northerly boundary line of Alameda township to its intersection with the westerly boundary line of Alameda county; thence southeasterly along said county boundary line to the point of beginning, shall constitute the fourteenth assembly district.

15. All that portion of the county of Alameda described as follows, to wit:

Beginning at a point where the center line of Thirteenth avenue is intersected by the center line of Foothill boulevard, in the city of Oakland; thence northeasterly along the center line of Thirteenth avenue to the intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard and along its direct extension northeasterly to an intersection with the center line of Sausal creek; thence northeasterly and southeasterly along the center line of Sausal creek to its intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard to its intersection with the center line of Saroni drive; thence northwesterly along the center line of Saroni drive to its intersection with the center line of the right-of-way of the San Francisco and Sacramento Railway; thence northeasterly along said right-of-way center line to its intersection with the boundary line between Alameda county and Contra Costa county; thence in a general southeasterly direction along said boundary line to its intersection with the line dividing Eden and Brooklyn townships; thence in a general southeasterly direction along said township dividing line to a point where the same would be intersected by the dividing line between the A. M. Peralta and Ygnacio Peralta portion of the Rancho San Antonio, also known as the Brothers line; thence southwesterly along said Brothers line to the center line of Mountain boulevard; thence northwesterly and southwesterly along the center line of Mountain boulevard to the center line of Seminary avenue; thence southwesterly along the center line of Seminary avenue to the center line of East Fourteenth street; thence northwesterly along the center line of East Fourteenth street to the center line of Fruitvale avenue; thence northeasterly along the center line of Fruitvale avenue to the center line of Foothill boulevard; thence westerly along the center line of Foothill boulevard to the center line of Fourteenth avenue; thence southwesterly along the center line of Fourteenth avenue to the center line of Foothill boulevard; thence northwesterly along the center line of Foothill boulevard to the center line of Thirteenth avenue, the point of beginning, shall constitute the fifteenth assembly district.

16. All that portion of Alameda county described as follows, to wit:

Beginning at a point where the center line of Broadway is intersected by the center line of Twentieth street, in the city of Oakland; thence southeasterly along the center line of Twentieth street and the direct extension southeasterly thereof to the west shore line of Lake Merritt; thence southeasterly, southerly and southeasterly along said shore line of Lake Merritt and its direct production southeasterly to its point of intersection with the westerly line of Lake Shore boulevard; thence in a general northeasterly direction along the westerly line of Lake Shore boulevard to its intersection with the direct production westerly of the center line of Excelsior avenue; thence easterly along said production and along the center line of Excelsior avenue to its intersection with the center line of Hopkins street; thence easterly along the center line of Hopkins street to its intersection with the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue to its intersection with the center line of Park boulevard; thence northeasterly along the

center line of Park boulevard to its intersection with the direct production southeasterly of the northerly boundary of the city of Piedmont; thence northwesterly along said production to the northeast corner of the city of Piedmont; thence northwesterly and southwesterly along the northerly boundary line of the city of Piedmont to its intersection with the northerly boundary line of the city of Oakland as it existed prior to December 8, 1909; thence in a general northwesterly direction along said northerly boundary line to the center line of Clifton street; thence northwesterly along the center line of Clifton street to the center line of Broadway; thence southwesterly along the center line of Broadway to its intersection with the center line of College avenue; thence northerly along the center line of College avenue to its intersection with the center line of Clifton street; thence northwesterly along the center line of Clifton street to the center line of Claremont avenue; thence southwesterly along the center line of Claremont avenue to the center line of Telegraph avenue; thence northerly along the center line of Telegraph avenue to the center line of Fifty-second street; thence westerly along the center line of Fifty-second street to the center line of Grove street; thence southeasterly and southerly along the center line of Grove street to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street to the center line of Broadway and the point of beginning, shall constitute the sixteenth assembly district.

17. All of that portion of the county of Alameda, described as follows, to wit:

Beginning at a point on the westerly boundary line of the county of Alameda where it is intersected by the line dividing Alameda and Oakland townships; thence easterly along said line dividing Alameda and Oakland townships, to its intersection with the line dividing Oakland and Brooklyn townships; thence northeasterly along the line dividing Oakland and Brooklyn townships to its intersection with the southerly shore line of Lake Merritt; thence westerly, northerly and northwesterly along the westerly shore line of Lake Merritt to its intersection with the center line of Twentieth street extended easterly; thence westerly along said extension of the center line of Twentieth street and along the center line of Twentieth street to the center line of Grove street; thence northerly and northwesterly along the center line of Grove street to the center line of Fifty-second street; thence westerly along the center line of Fifty-second street to its intersection with the center line of Temescal creek; thence northwesterly along the center line of Temescal creek to the extreme east corner of the city of Emeryville in said Temescal creek; thence westerly and northwesterly along the line dividing the cities of Emeryville and Oakland to the line dividing the cities of Emeryville and Berkeley; thence westerly along the line dividing the cities of Emeryville and Berkeley and along its direct extension westerly to the westerly boundary of the county of Alameda; thence southerly along the westerly boundary of the county of Alameda to the line dividing Alameda and Oakland townships, the point of beginning, shall constitute the seventeenth assembly district.

18. All that portion of Alameda county described as follows, to wit:

Beginning at a point where the easterly boundary line of the city of Berkeley intersects the northern boundary line of the county of Alameda; thence in a general southeasterly direction along the northeasterly boundary line of Alameda county to its intersection with the center line of the right-of-way of the San Francisco and Sacramento Railway; thence southwesterly along said right-of-way center line to its intersection with the center line of Saroni drive; thence southeasterly along the center line of Saroni drive to its intersection with the center line of Park boulevard; thence southwesterly along the center line of Park boulevard to its intersection with the center line of Sausal creek; thence northwesterly and southwesterly along the center line of Sausal creek to its intersection with the direct extension northeasterly of the center line of Park boulevard; thence southwesterly along said extension and along the center line of Park boulevard to its intersection with the direct extension southeasterly of the northerly boundary of the city of Piedmont; thence northwesterly along said extension to the northeast corner of the city of Piedmont; thence northwesterly and southwesterly along the northerly boundary line of the city of Piedmont, to the northern boundary of the city of Oakland as it existed prior to December 8, 1909; thence northwesterly along said northern boundary line to the center line of Clifton street; thence northwesterly along the center line of Clifton street to the center line of Broadway; thence southwesterly along the center line of Broadway to its intersection with the center line of College avenue; thence northerly along the center line of College avenue to its intersection with the center line of Clifton street; thence northwesterly along the center line of Clifton street to its intersection with the center line of Claremont avenue; thence southwesterly along the center line of Claremont avenue to its intersection with the center line of Telegraph avenue; thence northerly along the center line of Telegraph avenue to its intersection with the center line of Fifty-second street; thence westerly along the center line of Fifty-second street to its intersection with the center line of Temescal creek; thence northwesterly along the center line of Temescal creek to the extreme east corner of the city of Emeryville in said Temescal creek; thence westerly and northerly along the line dividing the cities of Emeryville and Oakland to the line dividing the cities of Emeryville and Berkeley; thence westerly along the line dividing the cities of Emeryville and Berkeley and along its direct extension westerly to the westerly boundary line of the county of Alameda; thence northwesterly along the

westerly boundary line of the county of Alameda to a point where said boundary line would intersect the direct extension westerly of the center line of Dwight way; thence easterly along said extension and along the center line of Dwight way and its direct extension easterly to the easterly boundary line of the city of Berkeley; thence northerly along the easterly boundary line of the city of Berkeley to the northern boundary line of the county of Alameda, and the point of beginning, shall constitute the eighteenth assembly district.

19. All that portion of Alameda county described as follows, to wit:

Beginning at a point where the east boundary line of the city of Berkeley intersects the northern boundary line of the county of Alameda; thence northwesterly, southwesterly and southeasterly along the northern and western boundary line of the county of Alameda to a point where said boundary line would intersect the direct extension westerly of the center line of Dwight way; thence easterly along said extension and along the center line of Dwight way and its direct extension easterly, to the eastern boundary line of the city of Berkeley; thence northerly along the easterly boundary line of the city of Berkeley to the northern boundary line of the county of Alameda, and the point of beginning, shall constitute the nineteenth assembly district.

20. All that portion of the city and county of San Francisco described as follows:

Commencing at a point at the intersection of the center line of Market street with the center line of Eleventh street; thence along the center line of the following named streets, to wit: Market street to Powell, Powell to the shoreline of the San Francisco bay; thence southerly along the shoreline of said bay to its intersection with the center line of Army street; thence along the center line of Army street, Potrero avenue, Division street and Eleventh street to the point of beginning, shall constitute the twentieth assembly district.

21. All that portion of the city and county of San Francisco described as follows:

Commencing at a point at the intersection of Twenty-ninth street and Mission streets; thence along the center line of the following named streets:

Mission to Army street, Army to Bryant, Bryant to Precita avenue, Precita avenue to Potrero, Potrero to Army, Army to San Francisco bay; thence southerly along the shoreline of the San Francisco bay to the boundary line dividing the city and county of San Francisco and the county of San Mateo; thence along the said boundary line westerly to the center line of Mission street; thence along Mission street to the place of beginning, shall constitute the twenty-first assembly district.

22. All that portion of the city and county of San Francisco bounded as follows:

Commencing at a point at the intersection of the center line of Market street with the center line of Eleventh street; thence along the center line of the following named streets, to wit:

Market street to Laguna street, Laguna street to McAllister street, McAllister street to Broderick street, Broderick street to Pine street, Pine street to Van Ness avenue, Van Ness avenue to the San Francisco bay; thence easterly along the shore line of the San Francisco bay to the intersection with the center line of Powell street; thence along the center line of Powell street to Market street, Market street to Eleventh street, the point of beginning, shall constitute the twenty-second assembly district.

23. All that portion of the city and county of San Francisco bounded as follows:

Commencing at a point at the intersection of Mission street and Twenty-ninth street, continuing along the center lines of the following named streets, to wit: Mission street to Army street, to Bryant street to Precita avenue, to Potrero avenue, to Davison street to Eleventh street, to Market street, to Laguna, Laguna to McAllister, McAllister street to Fillmore, Fillmore street to Duboce avenue, Duboce avenue to Church street, Church street to Eighteenth street, Eighteenth street to Dolores, Dolores street to Twenty-ninth and Mission streets, the place of beginning, shall constitute the twenty-third assembly district.

24. All that portion of the city and county of San Francisco bounded as follows:

Commencing at a point at the intersection of Twenty-ninth and Mission streets; thence along the center line of the following named streets, to wit:

Mission street to the boundary line dividing the city and county of San Francisco and the county of San Mateo; thence along said boundary line westerly to the waters of the Pacific ocean; thence along the shore line of the said Pacific ocean and the northerly line of Sloat boulevard; thence along the center lines of the following named streets, to wit:

Sloat boulevard to Portola drive, Portola drive to Burnett avenue, Burnett avenue to Twenty-fourth street, Twenty-fourth street to Dolores street, Dolores street to Twenty-ninth street, Twenty-ninth street to Mission street, the point of beginning, shall constitute the twenty-fourth assembly district.

25. All that portion of the city and county of San Francisco bounded as follows:

Commencing at a point in the intersection of Fulton street and Masonic avenue; thence along the center line of the following named streets, to wit:

Masonic avenue to Piedmont street, Piedmont street to Ashbury street, Ashbury street to Clayton street, Clayton street to Clarendon avenue, Clarendon avenue to Burnett avenue, Burnett avenue to Portola drive, Portola drive to Sloat boulevard,

Slout boulevard to the waters of the Pacific ocean; thence along the shore line of said Pacific ocean and northerly to the center line of Fulton street, Fulton street to Masonic avenue, the point of beginning, shall constitute the twenty-fifth assembly district.

26. All that portion of the city and county of San Francisco bounded as follows: Commencing at a point at the intersection of Pine street and Broderick street; thence along the center line of the following named streets, to wit:

Broderick street to McAllister street, McAllister street to Fillmore street, Fillmore street to Duboce avenue, Duboce avenue to Church street, Church street to Eighteenth street, Eighteenth street to Dolores street, Dolores street to Twenty-fourth street, Twenty-fourth street to Burnett avenue, Burnett avenue to Clarendon avenue, Clarendon avenue to Clayton street, Clayton street to Ashbury street, Ashbury street to Piedmont street, Piedmont street to Masonic avenue, Masonic avenue to Fulton street, Fulton street to Parker avenue, Parker avenue to California street, California street to Presidio avenue, Presidio avenue to Pine street, Pine street to Broderick street, the point of beginning, shall constitute the twenty-sixth assembly district.

27. All that portion of the city and county of San Francisco bounded as follows: Commencing at a point at the intersection of Pine street and Van Ness avenue; thence along the center line of the following named streets, to wit:

Van Ness avenue to the bay of San Francisco; thence along the shore line of said bay to the waters of the Pacific ocean; thence along the shore line of said Pacific ocean to Lobos creek; thence along the line of Lobos creek to the southerly boundary line of the Presidio reservation; thence along said boundary line to Arguello boulevard; thence along Arguello boulevard to California street, California street to Presidio avenue, Presidio avenue to Pine street, Pine street to Van Ness avenue, the point of beginning, shall constitute the twenty-seventh assembly district.

28. All that portion of the city and county of San Francisco bounded as follows: Commencing at a point at the intersection of Fulton street and Parker avenue; thence along the center line of the following named streets, to wit:

Parker avenue to California street, California street to Arguello boulevard, Arguello boulevard to the southwesterly line of the Presidio reservation; thence along the southerly boundary of the Presidio reservation to Lobos creek; thence along the center line of Lobos creek to the waters of the Pacific ocean; thence westerly and southerly along the said shore line to Fulton street, Fulton street to Parker avenue, the point of beginning, together with the islands known as the Farallon islands, shall constitute the twenty-eighth assembly district.

29. The county of San Mateo shall constitute the twenty-ninth assembly district.

30. All that portion of the county of Santa Clara embraced within the following precincts, as constituted at the general election of 1930, to wit: Agnews, Alviso, Barron, Bay View, Berryessa, Burbank, Calderon, Cupertino, Encina, Farwell, Fremont numbers one and two, Fruitvale, Jefferson numbers one and two, Linda Vista numbers one and two, Los Altos numbers one to three inclusive, Midway, Milpitas numbers one and two, Miramonte, Mount Hamilton numbers one and two, Mountain View numbers one to five inclusive, Orchard, Pala, Palo Alto numbers one to twenty-three inclusive, Purissima, Red Mountain, San Jose numbers one to thirty-three inclusive, and numbers ninety-one to one hundred seven inclusive, Santa Clara numbers one to nine inclusive, San Thomas, Saratoga numbers one and two, Seale, Stanford numbers one and two and Sunnyvale numbers one to four, inclusive, shall constitute the thirtieth assembly district.

31. All that portion of the county of Santa Clara not included in the thirtieth assembly district as fixed and defined by this section, shall constitute the thirty-first assembly district.

32. The county of Stanislaus shall constitute the thirty-second assembly district.

33. The counties of Merced and Madera shall constitute the thirty-third assembly district.

34. The counties of San Benito and Santa Cruz shall constitute the thirty-fourth assembly district.

35. The counties of Monterey and San Luis Obispo shall constitute the thirty-fifth assembly district.

36. All that portion of the county of Fresno bounded as follows: Commencing at the point of intersection of the center line of Ashlan avenue and the center of the main line track of the Southern Pacific railroad running between the cities of San Francisco, Merced and Fresno; thence along the center line of the following named streets, to wit: Easterly on Ashlan avenue to Winery avenue; southerly on Winery avenue to McKinley avenue; westerly on McKinley avenue to Chestnut avenue; southerly on Chestnut avenue to Church avenue; westerly on Church avenue to Hughes avenue; northerly on Hughes avenue to the center of the main line track of the Southern Pacific railroad named above; northwesterly along the center line of said track to the point of beginning, shall constitute the thirty-sixth assembly district.

37. All that portion of the county of Fresno not included in the thirty-sixth assembly district shall constitute the thirty-seventh assembly district.

38. The counties of Kings and Tulare shall constitute the thirty-eighth assembly district.

39. The county of Santa Barbara shall constitute the thirty-ninth assembly district.

40. The county of Ventura shall constitute the fortieth assembly district.

41. The county of Kern shall constitute the forty-first assembly district.

42. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the northwesterly boundary of the county of Los Angeles as the same existed January 19, 1931, and the northerly line of section 8 township 1 south range 19, west, San Bernardino meridian; thence northeasterly along the boundary of said county and following the same in all its various courses to the township line between townships 3 and 4 north; San Bernardino meridian; thence westerly along said township line to the northerly prolongation of the easterly line of section 3 township 2 north range 13, west, San Bernardino meridian; thence southerly along said prolongation to the northeasterly corner of said section 3; thence southerly along section lines and the southerly prolongation thereof to the northerly boundary of the city of Glendale as the same existed January 19, 1931; thence westerly along the boundary of said city and following the same in all its various courses to the easterly boundary of the city of Burbank as the same existed on above mentioned date; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner of said last mentioned city, being also an angle point in the city of Los Angeles as the same existed on above mentioned date; thence southeasterly along the southwesterly boundary of the aforesaid city of Los Angeles to the most northerly corner of tract No. 7354 as shown on map recorded in book 89, pages 89 and 76 to 81 of maps records of Los Angeles county; thence southeasterly along the northeasterly line of said tract to the most easterly corner of lot 311 of said tract; thence due east to the center line of Hollywood way; thence southwesterly along the center line of Hollywood way to a point in the northerly boundary of that certain territory annexation to the city of Los Angeles May 22, 1915, known as the San Fernando addition; thence easterly along the boundary of said annexation and following the same in all its various courses to a point in the south-easterly prolongation of the northeasterly line of that portion of Woodrow Wilson drive extending from Cahuenga boulevard to Holly trail; thence northwesterly along said prolongation and northeasterly line of said Woodrow Wilson drive to a point in the southerly boundary of the aforesaid San Fernando annexation to the city of Los Angeles; thence westerly along the boundary of said annexation and following the same in all its various courses to an angle point in the boundary of the city of Los Angeles as the same existed January 19, 1931, said point being also the most easterly corner of fractional section 33, township 1, north range 16, west, San Bernardino meridian; thence southwesterly along the boundary of said last mentioned city to the southerly line of fractional section 18, township 1, south range 16, west, San Bernardino meridian; thence westerly along section lines to the southeast corner of section 13, township 1 south, range 19, west, San Bernardino meridian; thence northerly and westerly along the easterly and northerly lines of said section 13 to the southeast corner of section 11 said last mentioned township, and range; thence northerly along the easterly line of said section 11 to the northeast corner thereof; thence westerly along section lines to the point of beginning, shall constitute the forty-second assembly district.

43. All that portion of the county of Los Angeles described as follows:

Beginning at the most westerly corner of the city of Burbank as the same existed on January 19, 1931; thence easterly along the boundary of said city and following the same in all its various courses to an angle point in the boundary of the city of Glendale as the same existed on above mentioned date at or near the northwesterly corner of lot 124 of the Scott tract as shown on map recorded in book 43, pages 47 to 59 of miscellaneous records of Los Angeles county; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of the city of Los Angeles as the same existed on above mentioned date, at or near the northeasterly corner of lot 41 of "Addition to Rockdale" as shown on map recorded in book 23, page 40 of miscellaneous records of said county; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner of aforesaid city of Burbank; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the forty-third assembly district.

44. All that part of the county of Los Angeles, within the following described boundaries:

Beginning at the intersection of the center lines of Dallas street and Riverside drive, in the city of Los Angeles, as the same existed January 19, 1931; thence northeasterly along the center line of Dallas street and northeasterly prolongation thereof to the center line of the official bed of the Los Angeles river; thence southeasterly along the center line of said river and following the same in all its various courses to the center line of North Spring street; thence northeasterly along the center line of North Spring street to the center line of North Broadway; thence northeasterly and easterly along the center line of North Broadway to the center line of the Pacific Electric Company's right of way in Daly street; thence southerly along the center line of said right of way to the center line of the Southern

Pacific Railroad Company's right of way in Alhambra avenue; thence southwesterly along the center line of said last mentioned right of way to the center line of the aforesaid official bed of the Los Angeles river; thence southerly along the center line of said river and following the same in all its various courses to the northerly boundary of the city of Vernon, as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city to the center line of Alameda street; thence northerly along the center line of Alameda street to the center line of Ninth street (from the northwest); thence northwesterly along the center line of Ninth street to the center line of Hill street; thence northeasterly along the center line of Hill street to the center line of Seventh street; thence northwesterly along the center line of Seventh street to the center line of Figueroa street; thence northeasterly along the center line of Figueroa street to the center line of First street; thence southeasterly along the center line of First street to the center line of Flower street; thence northeasterly along the center line of Flower street to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of Bunker Hill avenue; thence northeasterly along the center line of Bunker Hill avenue to the center line of California avenue; thence northwesterly along the center line of California avenue to the center line of Bunker Hill avenue (from the northeast); thence northeasterly along the center line of Bunker Hill avenue to the center line of Sunset boulevard; thence northwesterly along the center line of Sunset boulevard to the center line of Quintero street; thence northeasterly along the center line of Quintero street to the center line of Macbeth street; thence northwesterly along the center line of Macbeth street to the center line of Sutherland street; thence northeasterly along the center line of Sutherland street to the center line of that certain alley lying adjacent to and parallel with the northerly line of block six of Golden West Heights, as shown on map recorded in book thirty-four, page ninety-one, miscellaneous records of Los Angeles county; thence northwesterly along the center line of said alley and the northwesterly prolongation thereof, to the northeasterly prolongation of Portia street; thence northeasterly along said prolongation of Portia street to the center line of Scott avenue; thence northwesterly along the center line of Scott avenue to the center line of Sargent place; thence northeasterly along the center line of Sargent place to the center line of Park drive; thence northeasterly along the center line of Park drive and following the same in all its various courses to the southeasterly prolongation of Baxter street; thence southeasterly along said last mentioned prolongation to the northeasterly prolongation of Boylston street; thence northeasterly along said last mentioned prolongation to the center line of Riverside drive; thence northwesterly along the center line of Riverside drive to the point of beginning, shall constitute the forty-fourth assembly district.

45. All that part of the county of Los Angeles, within the following described boundaries:

Beginning at the intersection of the center lines of Isabel street and Roseview avenue (from the southwest), in the city of Los Angeles, as the same existed on January 19, 1931; thence southeasterly along the center line of Isabel street and following the same in all its various courses to the center line of Amabel street; thence southeasterly along the center line of Amabel street to the center line of Dayton avenue; thence northeasterly along the center line of Dayton avenue to the center line of Avenue Thirty-seven (from the southeast); thence southeasterly along the center line of Avenue Thirty-seven to the center line of Arroyo Seco avenue; thence northeasterly along the center line of Arroyo Seco avenue to the center line of Marmion way; thence northerly along the center line of Marmion way and following the same in all its various courses to the northwesterly prolongation of the center line of Avenue Forty-four; thence southeasterly along said prolongation and center line of Avenue Forty-four to the center line of Pasadena avenue; thence northeasterly along the center line of Pasadena avenue to the center line of Avenue Forty-four (from the southeast); thence southeasterly along the center line of Avenue Forty-four to the center line of Carlota boulevard; thence northeasterly along the center line of Carlota boulevard to the North Patent boundary of the city of Los Angeles; thence easterly along said North Patent boundary and the easterly prolongation thereof to the range line between ranges 12 and 13 west, San Bernardino meridian; thence northerly along said range line to the center of Hawley avenue; thence northwesterly along the center line of Hawley avenue to the center line of Pullman street; thence southeasterly along the center line of Pullman street to the center line of Harriman avenue; thence northeasterly along the center line of Harriman avenue to the southerly boundary of the city of South Pasadena, as the same existed on above mentioned date, being also the northerly boundary of the city of Los Angeles, as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city of Los Angeles and following the same in all its various courses to the center line of Indiana street, as shown on map of Boston Heights, recorded in book 19, page 38 of miscellaneous records of Los Angeles county; thence northerly along the center line of Indiana street and northerly prolongation thereof to the center line of Alhambra avenue as shown on map of tract No. 679, recorded in book 17, page 24 of maps, records of said county; thence northwesterly and southwesterly along the center line of Alhambra avenue to

the center line of Mission road; thence southwesterly along the center line of Mission road to the center line of the Pacific Electric Railway Company's right of way in Daly street; thence northerly along the center line of said right of way to the center line of North Broadway; thence westerly and southwesterly along the center line of North Broadway to the center line of North Spring street; thence southwesterly along the center line of North Spring street to the center line of the official bed of the Los Angeles River; thence northwesterly along the center line of said river and following the same in all its various courses to the southwesterly prolongation of the center line of Roseview avenue; thence northeasterly along said prolongation and center line of Roseview avenue to the center line of Cypress avenue; thence northwesterly along the center line of Cypress avenue to the center line of Roseview avenue (from the northeast); thence northeasterly along the center line of Roseview avenue to the point of beginning, shall constitute the forty-fifth assembly district.

46. All that portion of the county of Los Angeles described as follows:

Beginning at the southwesterly prolongation of the center line of Esplanade as shown on map of tract No. 8573, recorded in book 103, pages 19 and 20 of maps, records of Los Angeles county, with the southwesterly boundary of the county of Los Angeles; thence northeasterly along said southwesterly prolongation and center line of Esplanade and following the same in all its various courses to the center line of Culver boulevard; thence northeasterly along the center line of Culver boulevard to the center line of Larrabee street; thence northeasterly along the center line of Larrabee street to the first intersection with the northeasterly boundary of the city of Los Angeles as same existed on January 19, 1931; thence southeasterly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of Victoria avenue; thence southerly along the center line of Victoria avenue to the center line of Fifty-second street; thence easterly along the center line of Fifty-second street to the center line of Los Angeles Railway Company's right of way in Crenshaw boulevard; thence southerly along the center line of said right of way to the center line of Slauson avenue; thence easterly along the center line of Slauson avenue to the center line of Van Ness avenue (from the south); thence southerly along the center line of Van Ness avenue to the first angle point in the boundary of the city of Inglewood as same existed on the above mentioned date, said angle point being the northeasterly corner of block 17, tract No. 1924, as shown on map recorded in book 23, page 47 of maps, records of said county; thence southerly along the boundary of said city of Inglewood to the center of section 2, township 3 south, range 14 west, San Bernardino meridian; thence southerly along quarter section line and the center line of Arlington street to the center line of One Hundred Twenty-eighth street; thence westerly along the center line of One Hundred Twenty-eighth street to the easterly boundary of the city of Hawthorne as same existed on the above mentioned date; thence southerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Prairie avenue; thence southerly along the center line of Prairie avenue to the northwesterly boundary of the city of Torrance as same existed on the above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to a point in the boundary of the city of Redondo Beach as same existed on the above mentioned date, said point being the northeasterly corner of block 19, as shown on map of townsite of Redondo Beach recorded in book 89, pages 1 to 17, inclusive, of miscellaneous records of said county; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of above mentioned city of Torrance, said angle point being the northeasterly corner of tract No. 2650, as shown on map recorded in book 26, page 98 of maps, records of said county; thence southerly along the boundary of said city of Torrance and following the same in all its various courses to a point in the southwesterly corner thereof, said point being also a point in the southwesterly boundary of the county of Los Angeles; thence northwesterly along said southwesterly boundary to the point of beginning, shall constitute the forty-sixth assembly district.

47. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Allen avenue as shown on map of tract No. 1209 recorded in book 20, page 9 of maps, records of Los Angeles county, and the northerly boundary of the city of Pasadena as same existed January 19, 1931; thence southerly along the center line of Allen avenue to that portion of the southerly boundary of said city lying between Monta Vista street and Villa street; thence westerly along the boundary of said city and following the same in all its various courses to the center line of Allen avenue as shown on map of Avondale tract, recorded in book 8, page 117 of maps, records of said county; thence southerly along the center line of Allen avenue to that portion of the southerly boundary of said city lying between Elm street and Blanche street; thence westerly along the boundary of said city and following the same in all its various courses to the point of beginning, shall constitute the forty-seventh assembly district.

48. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the northerly prolongation of the easterly line of section 3, township 2 north, range 13 west, San Bernardino meridian, with the township line between townships 3 and 4 north, San Bernardino meridian; thence easterly along township line to the northwesterly corner of section 5, township 3 north,

range 11 west, San Bernardino meridian; thence southerly along section lines to the southwesterly corner of section 32, township 2 north, range 11 west, San Bernardino meridian; thence easterly along the township line between townships 1 and 2 north, to the north and south quarter section line in section 3, township 1 north, range 11 west, San Bernardino meridian; thence southerly along north and south quarter section lines to the southwesterly corner of the northeast quarter of section 10, said last mentioned township and range, said last mentioned corner being also the northwesterly corner of the city of Monrovia, as the same existed on January 19, 1931; thence southerly along the westerly boundary of said city to the northeasterly corner of the city of Arcadia, as the same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Pacific Electric Railway Company's right of way in Huntington drive; thence southwesterly along said last mentioned center line to the northeasterly boundary of the city of San Marino as the same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to that portion of the easterly boundary of the city of Pasadena, as the same existed on above mentioned date, lying between Greenwood avenue and Allen avenue; thence northerly along said last mentioned city boundary and following the same in all its various courses to the center line of that portion of Allen avenue lying between Elm street and Blanche street; thence northerly along said last mentioned center line to that portion of the northerly boundary of said last mentioned city lying between Locust street and Corson street; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to that portion of the center line of Allen avenue lying between Villa street and Monta Vista street; thence northerly along the center line of Allen avenue to the northerly boundary of said last mentioned city; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the northerly boundary of the city of Glendale as the same existed on above mentioned dates; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to its intersection with the southerly prolongation of the easterly line of section 3, township 2 north, range 13 west, San Bernardino meridian; thence northerly along said prolongation to the southeasterly corner of said last mentioned section; thence northerly along section lines and the northerly prolongation thereof to the point of beginning, shall constitute the forty-eighth assembly district.

49. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of section 5, township 3 north, range 11 west, San Bernardino meridian; thence easterly along the township line between townships 3 and 4 north, San Bernardino meridian, to the northeasterly boundary of the county of Los Angeles as same existed January 19, 1931; thence southeasterly along the boundary of said county and following the same in all its various courses to the southeasterly corner of township 2 south, range 10 west, San Bernardino meridian; thence northerly along the range line between ranges 9 and 10 west to the northwesterly corner of section 30, township 1 south, range 9 west, as same is established by projecting government section lines; thence easterly in a direct line to the southeasterly corner of section 20 said last mentioned township and range, as same is established by projecting government section lines; thence northerly in a direct line to the east and west quarter section line in fractional section 8, township 1 south, range 9 west, San Bernardino meridian; thence westerly along quarter section lines to the center line of Azusa canon road; thence southerly along the center line of Azusa canon road to the northerly boundary of the city of West Covina as same existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the center line of Willow avenue; thence southwesterly along the center line of Willow avenue to the center line of Francisquito avenue; thence northwesterly along the center line of Francisquito avenue and the northwesterly prolongation thereof to the center line of El Monte street; thence southwesterly along the center line of El Monte street to the southeasterly boundary of the Rancho San Francisquito as shown on map recorded in book 1, page 31 of patents, records of Los Angeles county; thence northwesterly along the boundary of said Rancho San Francisquito and following the same in all its various courses to the southeasterly boundary of the city of Arcadia as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses, to the westerly boundary of the city of Monrovia as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the northwesterly corner thereof, said last mentioned northwesterly corner being also the center of section 10, township 1 north, range 11 west, San Bernardino meridian; thence northerly along quarter section lines to the township line between townships 1 and 2 north, San Bernardino meridian; thence westerly along said last mentioned township line to the southwesterly corner of section 32, township 2 north, range 11 west, San Bernardino meridian; thence northerly along section line to the point of beginning, shall constitute the forty-ninth assembly district.

50. All that portion of the county of Los Angeles described as follows:

Beginning at the southeasterly boundary of the city of Arcadia as same existed January 19, 1931, and the center line of Oak avenue; thence northeasterly along

the boundary of said city and following the same in all its various courses to the northeasterly line of the Rancho San Francisquito as shown on map recorded in book 1, page 31 of patents, records of Los Angeles county; thence southeasterly along the boundary line of said rancho and following the same in all its courses to the center line of El Monte street; thence northeasterly along the center line of El Monte street to the northwesterly prolongation of the center line of Francisquito avenue; thence southeasterly along said northwesterly prolongation and center line of Francisquito avenue to the center line of Willow avenue; thence northeasterly along the center line of Willow avenue to the southwesterly boundary of the city of West Covina as same existed on above mentioned date; thence northwesterly along the boundary of said city and following the same in all its various courses to the center line of Azusa canon road, said point being near the northeasterly corner of lot 16 of the Eugene Riggins subdivision of the Hathaway tract as shown on map recorded in book 53, page 37 of miscellaneous records of said county; thence northerly along the center line of Azusa canon road to the east and west quarter section line of section 9, township 1 south, range 10 west, San Bernardino meridian; thence easterly along quarter section lines to the easterly line of fractional section 8, township 1 south, range 9 west; thence southerly in a direct line to the southeasterly corner of section 20 said last mentioned township and range as same is established by projecting government section lines; thence westerly in a direct line to the northwesterly corner of section 30, township 1 south, range 9 west, as same is established by projecting government section lines, said northwesterly corner being a point in the range line between ranges 9 and 10 west, San Bernardino meridian; thence southerly along range line to the southerly boundary of the county of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said county and following the same in all its various courses to the southeasterly corner of the southwesterly quarter of section 13, township 3 south, range 11 west, San Bernardino meridian; thence westerly along section lines to the southwesterly corner of section 14 said last mentioned township and range; thence northerly along section lines to the northwesterly corner of the above mentioned section 14; thence westerly along section lines to the northwesterly corner of section 16 said last mentioned township and range; thence northerly along section line to the northeasterly corner of section 8 said last mentioned township and range; thence westerly along the northerly line of said section 8 to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (main line to San Diego); thence northerly along the center line of said right of way to the center line of Anaheim Telegraph road; thence westerly and northwesterly along the center line of Anaheim Telegraph road to a point due south of the most southerly corner of the city of Montebello as same existed on above mentioned date; thence due north to said last mentioned southerly corner of the city of Montebello; thence northeasterly along the southeasterly boundary of said city and following the same in all its various courses to the range line between range 11 and range 12 west, San Bernardino meridian; said point being on the northerly boundary of the above mentioned city of Montebello; thence northerly along range line to the center line of the Southern Pacific Railroad Company's right of way (main line to Yuma); thence southeasterly along the center line of said right of way to the southerly prolongation of the center line of Encinita avenue; thence northerly along said southerly prolongation and center line of Encinita avenue to the center line of Garibaldi avenue; thence northeasterly along the center line of Garibaldi avenue to the center line of Oak avenue; thence northwesterly and northerly along the center line of Oak avenue to the point of beginning, shall constitute the fiftieth assembly district.

51. All that portion of the county of Los Angeles described as follows:

Beginning at an angle point in the boundary of the city of Los Angeles as the same existed January 19, 1931, said angle point being in the intersection of Indiana street and Medford street; thence easterly along the boundary of said city and following the same in all its various courses to the southwesterly corner of the city of Alhambra as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly corner of lot 319 as shown on map of Ramona Acres plat No. 2, sheet No. 3, recorded in book 17, pages 26 to 27 of maps, records of Los Angeles county, said corner being also an angle point in the boundary of the city of Monterey Park as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the northerly boundary of the city of Montebello as the same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southeasterly line of Church road; thence northeasterly along said southeasterly line and the northeasterly prolongation thereof to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way; thence northwesterly along the center line of said right of way to its first intersection with the southeasterly boundary of the city of Vernon as the same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the first intersection with the southerly boundary of the city of Los Angeles as the same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city

and following the same in all its various courses to the point of beginning, shall constitute the fifty-first assembly district.

52. All that portion of the county of Los Angeles within the city of Los Angeles described as follows:

Beginning at the intersection of the center line of the Southern Pacific Railroad Company's right of way in Alhambra avenue and the center line of the official bed of the Los Angeles river in the city of Los Angeles as the same existed on January 19, 1931; thence northeasterly along the center line of said right of way to the center line of the Pacific Electric Railway Company's right of way in Daly street; thence southerly along the center line of said last mentioned right of way to the center line of Mission road; thence northeasterly along the center line of Mission road to the center line of Alhambra avenue (from the northeast); thence northeasterly and southeasterly along the center line of Alhambra avenue to the center line of Indiana street, as shown on map of Boston Heights, recorded in book 19, page 38 of miscellaneous records of Los Angeles county; thence southerly along the center line of Indiana street to the southerly boundary of the city of Los Angeles as the same existed on above mentioned date (at or near the intersection of Medford and Indiana streets); thence westerly along the boundary of said city and following the same in all its various courses to the center line of the aforesaid official bed of the Los Angeles river; thence northwesterly along the center line of said river and following the same in all its various courses to the point of beginning; and also, all that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of Vernon as the same existed January 19, 1931, at or near the northwesterly corner of Twenty-fifth and Alameda streets, said point of beginning being also an angle point in the boundary of the city of Los Angeles as same existed on above mentioned date; thence easterly along the boundary of said city of Los Angeles and following the same in all its various courses to an angle point in aforesaid city of Vernon at or near the northeasterly corner of lot 16 of tract No. 8626 as shown on map recorded in book 121, pages 96 to 100, inclusive of maps, records of Los Angeles county; thence southwestwesterly along the boundary of said city of Vernon and following the same in all its various courses to the center line of Atchison Tepeka and Santa Fe Railway Company's right of way (main line to San Diego); thence southeasterly along the center line of said right of way to the northeasterly prolongation of the southeasterly line of Church road; thence southwestwesterly along said last mentioned northeasterly prolongation and southeasterly line of Church road to the first intersection with the boundary of the city of Montebello as same existed on above mentioned date; thence southwestwesterly along the boundary of said last mentioned city and following the same in all its various courses to the most southerly corner of said last mentioned city; thence due south to the center line of Anaheim Telegraph road; thence southeasterly along the center line of Anaheim Telegraph road to the southeasterly boundary of the Rancho San Antonio as shown on map recorded in book 1, page 389 of patents, records of said county; thence southwestwesterly along the boundary of said rancho and following the same in all its various courses to the first intersection with the northeasterly boundary of the city of South Gate as same existed on above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in the boundary of said last mentioned city near the northwesterly corner of tract No. 3233 as shown on map recorded in book 36, page 70 of maps, records of said county; thence northwesterly along the northwesterly prolongation of that portion of the boundary of said last mentioned city lying on the southwestwesterly line of said last mentioned tract to the center line of Southern Pacific Railroad Company's right of way (Santa Ana branch); thence northwesterly along the center line of said right of way to the southerly prolongation of the center line of Santa Fe avenue; thence northerly along said southerly prolongation and center line of Santa Fe avenue to the southerly boundary of the city of Huntington Park as same existed on the above mentioned date; thence westerly along the boundary of said city to the first angle point therein, said angle point being near the southwestwesterly corner of lot A, tract No. 4286, as shown on map recorded in book 45, pages 27 and 28 of maps, records of said county; thence westerly along the center line of Florence avenue to the easterly boundary of the above mentioned city of Los Angeles; thence northerly along the boundary of said city and following the same in all its various courses to the point of beginning, shall constitute the fifty-second assembly district.

53. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of South Pasadena as same existed January 19, 1931, said corner being at the northeasterly corner of lot 2, tract No. 3119 as shown on map recorded in book 33, page 91 of maps, records of Los Angeles county; being also a point in the boundary of the city of Pasadena as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the southwestwesterly corner of the Lamanda Park No. 2 annex to the city of Pasadena, said southwestwesterly corner being also an angle point in the boundary of the city of San Marino as same existed on above mentioned date; thence easterly along the

boundary of said last mentioned city and following the same in all its various courses to the center line of the Pacific Electric Railway Company's right of way in Huntington drive; thence northeasterly along the center line of said right of way to the westerly boundary of the city of Arcadia as same existed on above mentioned date; thence southerly along the boundary of said city and following the same in all its various courses to the center line of Oak avenue; thence southerly and southeasterly along the center line of Oak avenue to the center line of Garibaldi avenue; thence southwesterly along the center line of Garibaldi avenue to the center line of Encinita avenue; thence southerly along the center line of Encinita avenue and the southerly prolongation thereof to the center line of the Southern Pacific Railroad Company's right of way (main line to Yuma); thence northwesterly along the center line of said right of way to the range line between range 11 and 12 west, San Bernardino meridian; thence southerly along range line to the northerly boundary of the city of Montebello as same existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the intersection with the southerly boundary of the city of Monterey Park, as same existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to an angle point in the boundary of the city of Alhambra as same existed on above mentioned date, said angle point being at the southeasterly corner of lot 319 of Ramona Acres plat No. 2, sheet No. 3, as shown on map recorded in book 17, pages 26 and 27 of maps, records of said county; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the southerly boundary of the above mentioned city of South Pasadena, said point being located near the southwesterly corner of lot 39, tract No. 4303, as shown on map recorded in book 46, pages 96 and 97 of maps, records of said county; thence westerly along the boundary of said city and following the same in all its various courses to the point of beginning, shall constitute the fifty-third assembly district.

54. All that portion of the county of Los Angeles described as follows:

Beginning at the most southerly corner of the city of Glendale, as same existed January 19, 1931, being also an angle point in the boundary of the city of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Harriman avenue, as shown on map of Pasadena Villa tract, recorded in book 3, pages 5 to 8 of maps, records of Los Angeles county; thence southwesterly along the center line of Harriman avenue to the center line of Pullman street; thence northwesterly along the center line of Pullman street to the center line of Hawley avenue; thence southwesterly along the center line of Hawley avenue to the range line between ranges 12 and 13 west, San Bernardino meridian; thence southerly along said range line to the easterly prolongation of the north patent boundary of the city of Los Angeles; thence westerly along said easterly prolongation and along said north patent boundary to the center line of Carlota boulevard; thence southwesterly along the center line of Carlota boulevard to the center line of Avenue Forty-four; thence northwesterly along the center line of Avenue Forty-four to the center line of Pasadena avenue; thence southwesterly along the center line of Pasadena avenue to the center line of Avenue Forty-four (from the northwest); thence northwesterly along the center line of Avenue Forty-four and the northwesterly prolongation thereof to the center line of Marmion way; thence southwesterly along the center line of Marmion way and following the same in all its various courses to the center line of Arroyo Seco avenue; thence southwesterly along the center line of Arroyo Seco avenue to the center line of Avenue Thirty-seven; thence northwesterly along the center line of Avenue Thirty-seven to the center line of Dayton avenue (from the southwest); thence southwesterly along the center line of Dayton avenue to the center line of Amabel street; thence northwesterly along the center line of Amabel street to the center line of Isabel street; thence southwesterly along the center line of Isabel street and following the same in all its various courses to the center line of Roseview avenue; thence southwesterly along the center line of Roseview avenue and the southwesterly prolongation thereof to the center line of the Los Angeles river; thence northwesterly along the Los Angeles river to the point where the Los Angeles river intersects the north patent boundary line of the city of Los Angeles; thence easterly along the north patent boundary line of the city of Los Angeles to the point where the north patent boundary line of the city of Los Angeles intersects the southwesterly line of the Southern Pacific Railroad Company's right of way (valley line); thence northwesterly along the southwesterly line of said last mentioned right of way to the point of beginning, shall constitute the fifty-fourth assembly district.

55. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Seventh street and Westmoreland avenue, in the city of Los Angeles as the same existed on January 19, 1931; thence easterly and southeasterly along the center line of Seventh street to the center line of Hill street; thence southwesterly along the center line of Hill street to the center line of Ninth street; thence southeasterly along the center line of Ninth street to the center line of Maple avenue; thence southwesterly along the center line of Maple avenue to the center line of Jefferson boulevard; thence northwesterly along

the center line of Jefferson boulevard to the center line of Main street; thence southwesterly along the center line of Main street to the center line of Thirty-fifth street; thence northwesterly along the center line of Thirty-fifth street to the center line of Hill street; thence northeasterly along the center line of Hill street to the center line of the Southern Pacific Railroad Company's right of way Santa Monica branch (commonly known as the air line); thence westerly along the center line of said right of way to the center line of Figueroa street; thence northeasterly along the center line of Figueroa street to the center line of Jefferson boulevard; thence northwesterly along the center line of Jefferson boulevard to the center line of Hoover street; thence northeasterly and northerly along the center line of Hoover street to the center line of Washington street (from the northwest); thence northwesterly and westerly along the center line of Washington street to the center line of Orchard avenue; thence northerly along the center line of Orchard avenue to the center line of Pico street; thence westerly along the center line of Pico street to the center line of that certain private driveway lying westerly of and adjacent to lot 32 of Clark Bryan's Westmoreland place, as shown on map recorded in book 6, pages 110 and 111 of maps, records of Los Angeles county; thence northerly along the center line of said private driveway to the center line of Tenth street; thence easterly along the center line of Tenth street to the center line of Westmoreland avenue; thence northerly along the center line of Westmoreland avenue to the point of beginning, shall constitute the fifty-fifth assembly district.

56. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Beverly boulevard and Western avenue in the city of Los Angeles as same existed January 19, 1931; thence northerly along the center line of Western avenue to the center line of Los Feliz boulevard; thence northeasterly along the center line of Los Feliz boulevard to the southwesterly prolongation of the center line of Griffith Park drive; thence northeasterly along said prolongation and center line of Griffith Park drive to the south-easterly boundary of Griffith Park as shown on county surveyor's map No. 2325 on file in the office of the surveyor of Los Angeles county; thence southwesterly along the boundary of Griffith Park and following the same in all its various courses to an angle point in the northerly boundary of the city of Los Angeles as same existed January 19, 1931; thence northeasterly along the boundary of said city and following the same in all its various courses to an angle point in said boundary on the southwesterly line of the Southern Pacific Railroad Company's right of way (valley lines), said angle point being the most southerly corner of the city of Glendale as same existed on above mentioned date; thence southeasterly along the southwesterly line of said right of way to the southwesterly prolongation of the center line of Granada street; thence southwesterly along said prolongation to the center line of the official bed of the Los Angeles river; thence northwesterly along the center line of said river to the northeasterly prolongation of the center line of Dallas street; thence southwesterly along said prolongation and center line of Dallas street to the center line of Riverside drive; thence southeasterly along the center line of Riverside drive to the northeasterly prolongation of Boylston street; thence southwesterly along said last mentioned prolongation to the southeasterly prolongation of the center line of Baxter street; thence northwesterly along said last mentioned prolongation to the center line of Park drive; thence southwesterly along the center line of Park drive and following the same in all its various courses to the center line of Sargent place; thence southwesterly along the center line of Sargent place to the center line of Scott avenue; thence southeasterly along the center line of Scott avenue to the northeasterly prolongation of the center line of Portia street; thence southwesterly along said last mentioned prolongation to the northwesterly prolongation of that certain alley lying adjacent and parallel to the northwesterly prolongation of that certain alley lying adjacent and parallel to the northeasterly line of block 6 of Golden West heights, as shown on map recorded in book 34, page 91 of miscellaneous records of Los Angeles county; thence southeasterly along said prolongation and center line of said alley to the center line of Sutherland street; thence southwesterly along the center line of Sutherland street to the center line of Macbeth street; thence southeasterly along the center line of Macbeth street to the center line of Quintero street; thence southwesterly along the center line of Quintero street to the center line of Sunset boulevard; thence northwesterly along the center line of Sunset boulevard and following the same in all its various courses to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Temple street; thence southeasterly along the center line of Temple street to the center line of Micheltorena street; thence southwesterly along the center line of Micheltorena street to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Beverly boulevard; thence south-easterly along the center line of Beverly boulevard to the center line of Occidental boulevard; thence southwesterly along the center line of Occidental boulevard to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Sixth street (from the southeast); thence southeasterly along the center line of Sixth street to the center line of La Fayette Park place; thence southwesterly along the center line of La Fayette Park place to the center line of Hoover street; thence southerly along the center line of Hoover street to the center line of Seventh street (from the west); thence westerly along the center line

of Seventh street to the center line of Vermont avenue; thence northerly along the center line of Vermont avenue to the center line of Beverly boulevard; thence westerly along the center line of Beverly boulevard to the point of beginning, shall constitute the fifty-sixth assembly district.

57. All that portion of the county of Los Angeles described as follows:

Beginning at an angle point in the boundary of the city of Los Angeles as same existed January 19, 1931, said angle point being also the most southerly corner of the city of Burbank as same existed on above mentioned date; thence northeasterly along the boundary of said city of Los Angeles and following the same in all its various courses to the first intersection with the northwesterly boundary of Griffith park as shown on county surveyor's map No. 2325 on file in the office of the surveyor of Los Angeles county; thence southwestward along the boundary of said Griffith park and following the same in all its various courses to the center line of Griffith park drive; thence southwestward along the center line of Griffith park drive and southwestward prolongation thereof to the center line of Los Feliz boulevard; thence southwestward along the center line of Los Feliz boulevard to the center line of Western avenue; thence southerly along the center line of Western avenue to the center line of Beverly boulevard; thence westerly along the center line of Beverly boulevard to the easterly boundary of the Rosewood addition to the city of Los Angeles; said easterly boundary lying between Gardner and Vista streets; thence southerly along the boundary of said Rosewood addition and following the same in all its various courses to the center line of Beverly boulevard; thence westerly along the center line of Beverly boulevard to the center line of Fairfax avenue; thence northerly along the center line of Fairfax avenue to the southerly boundary of the city of Los Angeles as same existed on above mentioned date, (on the northerly line of Fountain avenue); thence westerly along the boundary line of said last mentioned city and following the same in all its various courses to the center line of Hayworth avenue; thence northerly along the center line of Hayworth avenue to the center line of Sunset boulevard; thence easterly along the center line of Sunset boulevard to the center line of Hayworth avenue (from the north); thence northerly along the center line of Hayworth avenue to the center line of Selma avenue; thence westerly along the center line of Selma avenue to the westerly boundary of the Hollywood consolidation to the city of Los Angeles; thence northerly along the boundary of said consolidation and following the same in all its various courses to the center line of El Cerrito place; thence southeasterly along the center line of El Cerrito place to the center line of Hillside avenue (from the east); thence easterly along the center line of Hillside avenue to the center line of Outpost drive; thence southeasterly along the center line of Outpost drive to the center line of Franklin avenue; thence easterly along the center line of Franklin avenue to the center line of Highland avenue (from the northeast); thence northeasterly and northerly along the center line of Highland avenue and the northerly prolongation thereof to the center line of Cahuenga boulevard; thence northwesterly along the center line of Cahuenga boulevard to the southeasterly prolongation of the northeasterly line of that portion of Woodrow Wilson drive extending from Cahuenga boulevard to Holly trail; thence southeasterly along said last mentioned prolongation to the northeasterly boundary of the San Fernando addition to the city of Los Angeles; thence northwesterly along the boundary of said addition and following the same in all its various courses to the center line of Hollywood way; thence northeasterly along the center line of Hollywood way to a point due east of the most easterly corner of lot 311 of tract No. 7354 as shown on map recorded in book 89, pages 76 to 81, inclusive, of maps, records of Los Angeles county; thence due west to the most easterly corner of said lot 311; thence northwesterly along the northeasterly line of said tract No. 7354 to the most northerly corner of said tract No. 7354, being also an angle point in the boundary of the city of Los Angeles, as same existed on above mentioned date; thence northeasterly along the boundary of said last mentioned city to the point of beginning, shall constitute the fifty-seventh assembly district.

58. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Beverly boulevard and Rossmore avenue (from the south), in the city of Los Angeles as same existed January 19, 1931; thence easterly along the center line of Beverly boulevard to the center line of Vermont avenue; thence southerly along the center line of Vermont avenue to the center line of Seventh street; thence easterly along the center line of Seventh street to the center line of Westmoreland avenue; thence southerly along the center line of Westmoreland avenue to the center line of Tenth street; thence westerly along the center line of Tenth street to the northerly prolongation of the center line of that certain private driveway lying westerly of and adjacent to the westerly line of lot 32 of Clark Bryan's Westmoreland place, as shown on map recorded in book 6, pages 110 and 111 of maps, records of Los Angeles county; thence southerly along the center line of said private driveway to the center line of Pico street; thence easterly along the center line of Pico street to the center line of Orchard avenue; thence southerly along the center line of Orchard avenue to the center line of Washington street; thence westerly along the center line of Washington street to the center line of Victoria avenue (from the northeast); thence northeasterly along the center line of Victoria avenue to the center line of Pico boulevard; thence westerly along the center

line of Pico boulevard to the center line of Rimpau boulevard; thence northeasterly along the center line of Rimpau boulevard to the center line of Wilshire boulevard; thence easterly along the center line of Wilshire boulevard to the center line of Rimpau boulevard (from the north); thence northerly along the center line of Rimpau boulevard to the center line of Third street; thence easterly along the center line of Third street to the center line of Rossmore avenue; thence northerly along the center line of Rossmore avenue to the point of beginning; shall constitute the fifty-eighth assembly district.

59. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the northeasterly boundary of the Rancho San Vicente y Santa Monica, as shown on map recorded in book 3, page 30 of patents, records of Los Angeles county, with the southerly boundary of the San Fernando Addition to the city of Los Angeles; thence easterly along the boundary of said addition to the northwesterly prolongation of the northeasterly line of that portion of Woodrow Wilson drive extending from Cahuenga boulevard to Holly trail; thence southeasterly along said northwesterly prolongation and northeasterly line of said portion of Woodrow Wilson drive and the southeasterly prolongation thereof to the center line of Cahuenga boulevard; thence southeasterly along the center line of Cahuenga boulevard to the northerly prolongation of the center line of Highland avenue; thence southerly along said northerly prolongation and center line of Highland avenue to the center line of Franklin avenue from the west; thence westerly along the center line of Franklin avenue to the center line of Outpost drive; thence northerly along the center line of Outpost drive to the center line of Hillside avenue; thence westerly along the center line of Hillside avenue to the center line of El Cerrito place; thence northwesterly along the center line of El Cerrito place to the northwesterly boundary of the Hollywood consolidation to the city of Los Angeles; thence southwesterly along the boundary of the above mentioned consolidation and following the same in all its various courses to the center line of Selma avenue; thence easterly along the center line of Selma avenue to the center line of Hayworth avenue; thence southerly along the center line of Hayworth avenue to the center line of Sunset boulevard; thence westerly along the center line of Sunset boulevard to the center line of Hayworth avenue, from the south; thence southerly along the center line of Hayworth avenue to the first intersection with the southerly boundary of the city of Los Angeles as same existed January 19, 1931, said boundary lying between Sunset boulevard and Fountain avenue; thence easterly, southerly and easterly along the boundary of said last mentioned city to the center line of Fairfax avenue; thence southerly along the center line of Fairfax avenue to the center line of Beverly boulevard; thence easterly along the center line of Beverly boulevard to the westerly boundary of the Rosewood addition to the city of Los Angeles; thence southerly, easterly and northerly along the boundary of said last mentioned addition to the center line of Beverly boulevard; thence easterly along the center line of Beverly boulevard to the center line of Rossmore avenue; thence southerly along the center line of Rossmore avenue to the center line of Third street; thence westerly along the center line of Third street to the center line of Heath avenue; thence northwesterly along the center line of Rimpau boulevard to the center line of Wilshire boulevard; thence westerly along the center line of Wilshire boulevard to the center line of Rimpau boulevard, from the southwest; thence southwesterly along the center line of Rimpau boulevard to the center line of Pico boulevard; thence westerly along the center line of Pico boulevard to the center line of Heath avenue; thence northwesterly along the center line of Heath avenue to the westerly prolongation of the southerly boundary of the city of Beverly Hills as same existed on above mentioned date, said southerly boundary being the southerly line of lot 4, tract No. 3613 as shown on map recorded in book 38, pages 65 and 66 of maps, records of said county; thence easterly along said westerly prolongation to the first angle point in aforesaid boundary; thence northwesterly along the boundary of said city and following the same in all its various courses to the southerly line of section 11, township 1 south, range 15 west, San Bernardino meridian; thence westerly along section lines to the northeasterly boundary of the aforesaid Rancho San Vicente y Santa Monica; thence northwesterly along the northeasterly boundary of said rancho to the point of beginning, shall constitute the fifty-ninth assembly district.

60. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the northwesterly boundary of the county of Los Angeles, as same existed January 19, 1931, and the northerly line of section 8, township 1 south, range 19 west, San Bernardino meridian; thence easterly along section lines to the northeasterly corner of section 11, said last mentioned township and range; thence southerly along section line to the northwesterly corner of section 13, above mentioned township and range; thence easterly along the northerly line of section 13 to the range line between range 19 west and range 18 west, San Bernardino meridian; thence southerly along range line to the northwesterly corner of section 19, township 1 south, range 18 west, San Bernardino meridian; thence easterly along section lines to the northwesterly line of the Rancho San Vicente y Santa Monica as shown on map recorded in book 3, page 30 of patents, records of Los Angeles county; thence northeasterly along said last mentioned rancho line to the southerly boundary of the San Fernando addition to the city of Los Angeles; thence easterly along the southerly boundary of said addition to the northeasterly boundary

of the above mentioned rancho; thence southeasterly along the northeasterly boundary of said rancho to the southerly line of fractional section 10, township 1 south, range 15 west, San Bernardino meridian; thence easterly along section lines to the first angle point in the boundary of the city of Beverly Hills as same existed January 19, 1931; thence southerly along the boundary of said city and following the same in all its various courses to the southwesterly corner of lot 4, tract No. 3613, as shown on map recorded in book 38, pages 65 and 66 of maps, records of said county; thence due west to the center line of Heath avenue; thence southeasterly along the center line of Heath avenue to the center line of Pico boulevard; thence southwesterly along the center line of Pico boulevard to the boundary of the city of Santa Monica as same existed on the above mentioned date; thence southeasterly and southwesterly along said last mentioned boundary to the most southerly corner of said last mentioned city, being a point in the boundary of the county of Los Angeles; thence northwesterly along the boundary of said county and following the same in all its various courses to the point of beginning, shall constitute the sixtieth assembly district.

61. All that portion of the county of Los Angeles described as follows:

Beginning at the most southerly corner of the city of Santa Monica as same existed January 19, 1931, with the southwesterly boundary of the county of Los Angeles; thence northeasterly and northwesterly along the boundary of said city of Santa Monica to the center line of Pico boulevard; thence northeasterly and easterly along the center line of Pico boulevard to the center line of Victoria avenue; thence southwesterly along the center line of Victoria avenue to the center line of Washington street; thence easterly along the center line of Washington street to the center line of Bronson avenue; thence southwesterly along the center line of Bronson avenue to the center line of Adams street; thence westerly along the center line of Adams street to the center line of Crenshaw boulevard; thence southerly along the center line of Crenshaw boulevard to the southerly boundary of the Palms addition to the city of Los Angeles; thence westerly along said last mentioned boundary to the westerly boundary of the Rancho Cienega O'Paso de la Tyera, as shown on map recorded in book 1, page 259 of patents, records of Los Angeles county; thence southerly along the boundary of said last mentioned rancho and following the same in all its various courses to the north and south quarter section line in section 17, township 2 south, range 14 west, San Bernardino meridian; thence southerly along said last mentioned quarter section line to the east and west quarter section line in section 17, township 2 south, range 14 west; thence easterly along said last mentioned quarter section line and its prolongation thereof to the westerly line of tract No. 6177 as shown on map recorded in book 144, pages 77 to 81 of maps, records of said county; thence northerly along the westerly line of said last mentioned tract to the center line of Chanson drive; thence easterly and southeasterly along the center line of Chanson drive to the center line of Mullen way; thence northeasterly along the center line of Mullen way to the center line of Floresta way; thence easterly along the center line of Floresta way to the center line of Mullen avenue; thence southeasterly along the center line of Mullen avenue to the center line of Angelus Vista boulevard; thence southwesterly along the center line of Angelus Vista boulevard to the center line of Mullen avenue from the south; thence southerly along the center line of Mullen avenue to the center line of Fifty-second street; thence easterly along the center line of Fifty-second street to the westerly boundary of the city of Los Angeles as same existed on the above mentioned date; thence southerly along the boundary of said city of Los Angeles and following the same in all its various courses to the center line of Larrabee street; thence southwesterly along the center line of Larrabee street to the center line of Culver boulevard; thence southwesterly along the center line of Culver boulevard to the center line of Esplanade; thence southwesterly along the center line of Esplanade and the southwesterly prolongation thereof to the southwesterly boundary of the county of Los Angeles; thence northwesterly along said southwesterly boundary to the point of beginning, shall constitute the sixty-first assembly district.

62. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Ninth street and Maple avenue in the city of Los Angeles as the same existed January 19, 1931; thence southeasterly along the center line of Ninth street to the center line of Alameda street; thence southerly along the center line of Alameda street to the southerly boundary of the city of Los Angeles as the same existed on above mentioned date, being also the northerly boundary of the city of Vernon as same existed on above mentioned date; thence westerly at the boundary of said city of Los Angeles and following the same in all its various courses to the center line of Slauson avenue (from the west) as shown on county surveyor's map No. 7147 on file in the office of the surveyor of Los Angeles county; thence westerly along the center line of Slauson avenue to the center line of Main street to the center line of Santa Barbara avenue; thence easterly along the center line of Santa Barbara avenue to the center line of Woodlawn avenue; thence northerly along the center line of Woodlawn avenue to the center line of Maple avenue; thence northeasterly along the center line of Maple avenue to the point of beginning, shall constitute the sixty-second assembly district.

63. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Washington street and Bronson avenue, in the city of Los Angeles as same existed January 19, 1931; thence easterly and southeasterly along the center line of Washington street to the center line of Hoover street; thence southerly and southwesterly along the center line of Hoover street to the center line of Jefferson boulevard; thence southeasterly along the center line of Jefferson boulevard to the center line of Figueroa street; thence southwesterly along the center line of Figueroa street to the center line of the Southern Pacific Railroad Company's right of way, Santa Monica branch (commonly known as the air line); thence westerly along the center line of said right of way to the center line of Vermont avenue (from the south); thence southerly along the center line of Vermont avenue to the center line of the Los Angeles Railway company's right of way (in Santa Barbara avenue); thence westerly along the center line of said last mentioned right of way and following the same in all its various courses to the center line of Vernon avenue; thence westerly along the center line of Vernon avenue to the center line of Crenshaw boulevard; thence northwesterly along the center line of Crenshaw boulevard to the center line of Vernon avenue (from the southwest); thence southwesterly along the center line of Vernon avenue to the first intersection with the southwesterly boundary of aforesaid city of Los Angeles; thence southeasterly along the boundary of said city and following the same in all its various courses to the center line of Fifty-second street, as shown on map of tract No. 5535, recorded in book 76, pages 74 and 75 of the maps, records of Los Angeles county; thence westerly along the center line of Fifty-second street to the center line of Mullen avenue; thence northerly along the center line of Mullen avenue to the center line of Angeles Vista boulevard; thence northeasterly along the center line of Angeles Vista boulevard to the center line of Mullen avenue (from the northwest); thence northwesterly along the center line of Mullen avenue to the center line of Floresta way; thence westerly along the center line of Floresta way to the center line of Mullen way; thence southwesterly along the center line of Mullen way to the center line of Chanson drive; thence northwesterly and westerly along the center line of Chanson drive to the westerly line of tract No. 6177, as shown on map recorded in book 144, pages 77 to 81, inclusive, of maps, records of said county; thence southerly along the westerly line of said last mentioned tract to the easterly prolongation of the east and west quarter section line of fractional section 17, township 2 south, range 14 west, S. B. M.; thence easterly along said prolongation and east and west quarter section line of said section to the north and south quarter section line in said section 17; thence northerly along said last mentioned quarter section line to the southwesterly boundary of the Rancho Cienega O'Paso de la Tijera, as shown on map recorded in book 1, page 259 of patents, records of said county; thence northwesterly along the boundary of said rancho and following the same in all its various courses to the southerly boundary of the city of Los Angeles as same existed on above mentioned date, being also the southerly boundary of the Palms addition to the city of Los Angeles; thence easterly along the boundary of said Palms addition to the center line of Crenshaw boulevard; thence northerly along the center line of Crenshaw boulevard to the center line of Adams street; thence easterly along the center line of Adams street to the center line of Bronson avenue (from the northwest); thence northwesterly along the center line of Bronson avenue to the point of beginning, shall constitute the sixty-third assembly district.

64. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center lines of Hoover street and Santa Monica boulevard in the city of Los Angeles as the same existed on January 19, 1931; thence northeasterly along the center line of Santa Monica boulevard to the center line of Sunset boulevard; thence southeasterly along the center line of Sunset boulevard and following the same in all its various courses to the center line of Bunker Hill avenue; thence southwesterly along the center line of Bunker Hill avenue to the center line of California street (from the southeast); thence southeasterly along the center line of California street to the center line of Bunker Hill avenue (from the southwest); thence southwesterly along the center line of Bunker Hill avenue to the center line of Temple street; thence northwesterly along the center line of Temple street to the center line of Flower street; thence southwesterly along the center line of Flower street to the center line of First street; thence northwesterly along the center line of First street to the center line of Figueroa street; thence southwesterly along the center line of Figueroa street to the center line of Seventh street; thence northwesterly along the center line of Seventh street to the center line of Hoover street; thence northerly along the center line of Hoover street to the corner line of La Fayette Park place; thence northeasterly along the center line of La Fayette Park place to the center line of Sixth street; thence northwesterly along the center line of Sixth street to the center line of Hoover street; thence northerly along the center line of Hoover street to the center line of Occidental boulevard; thence northeasterly along the center line of Occidental boulevard to the center line of Beverly boulevard; thence northwesterly along the center line of Beverly boulevard to the center line of Hoover street; thence northerly along the center line of Hoover street to the center line of Micheltorina street; thence northeasterly along the center line of Micheltorina street to the center line of Temple street; thence northwesterly along the center line of Temple street to the center line of Hoover street; thence northerly along the center line of Hoover street to the point of beginning, shall constitute the sixty-fourth assembly district.

65. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Vernon avenue and the southwesterly boundary of the city of Los Angeles as the same existed January 19, 1931, being also the southwesterly boundary of the Angeles Mesa addition to the city of Los Angeles; thence northeasterly along the center line of Vernon avenue to the center line of Crenshaw boulevard; thence southeasterly along the center line of Crenshaw boulevard to the center line of Vernon avenue (from the east); thence easterly along the center line of Vernon avenue to the center line of Los Angeles Railway Company's right of way (in Leimert boulevard); thence northerly along the center line of said right of way and following the same in all its various courses to the center line of Vermont avenue; thence northerly along the center line of Vermont avenue to the center line of Southern Pacific Railroad Company's right of way, Santa Monica branch, (commonly known as the air line); thence easterly along the center line of said last mentioned right of way to the center line of Hill street; thence southwesterly along the center line of Hill street to the center line of Thirty-fifth street; thence southeasterly along the center line of Thirty-fifth street to the center line of Main street; thence northeasterly along the center line of Main street to the center line of Jefferson boulevard; thence southeasterly along the center line of Jefferson boulevard to the center line of Maple avenue; thence southwesterly along the center line of Maple avenue to the center line of Woodlawn avenue; thence southerly along the center line of Woodlawn avenue to the center line of Santa Barbara avenue; thence westerly along the center line of Santa Barbara avenue to the center line of Main street; thence southerly along the center line of Main street to the center line of Slauson avenue; thence westerly along the center line of Slauson avenue to the center line of the Los Angeles Railway Company's right of way in Crenshaw boulevard; thence northerly along the center line of said last mentioned right of way to the center line of Fifty-second street; thence westerly along the center line of Fifty-second street to the center line of Victoria avenue; thence northerly along the center line of Victoria avenue to the first intersection with the northerly boundary of the city of Los Angeles as same existed on above mentioned date; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the sixty-fifth assembly district.

66. All that portion of the county of Los Angeles described as follows:

Beginning at the intersections of the center lines of Slauson and Van Ness avenues, in the city of Los Angeles as same existed January 19, 1931; thence easterly along the center line of Slauson avenue to the easterly boundary of the city of Los Angeles as the same existed on above mentioned date (Shoestring addition); thence southerly along the boundary of said city and following the same in all its various courses to the center line of Manchester avenue; thence westerly along the center line of Manchester avenue and following the same in all its various courses to the easterly boundary of the city of Inglewood as the same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to an angle point in said last mentioned boundary at or near the southerly line of Seventy-sixth street and the center line of Van Ness avenue; thence northerly along the center line of Van Ness avenue to the point of beginning, shall constitute the sixty-sixth assembly district.

67. All that portion of the county of Los Angeles described as follows:

Beginning at the intersection of the center line of Manchester avenue and the easterly boundary of the city of Inglewood as same existed on January 19, 1931; thence easterly along the center line of Manchester avenue and following the same in all its various courses to the easterly boundary of the city of Los Angeles, as same existed on above mentioned date; thence northerly along the boundary of said city and following the same in all its various courses to the center line of Florence avenue; thence easterly along the center line of Florence avenue to the southwesterly corner of the city of Huntington Park as same existed on above mentioned date; thence easterly along the southerly boundary of said last mentioned city to the center line of Santa Fe avenue (from the south); thence southerly along the center line of Santa Fe avenue and the southerly prolongation thereof to the center line of the Southern Pacific Railroad Company's right of way (Santa Ana branch); thence southeasterly along the center line of said right of way to the northwesterly prolongation of that portion of the southwesterly boundary of the city of South Gate as same existed on above mentioned date lying on the southwesterly line of tract No. 3233, as shown on map recorded in book 36, page 70 of maps, records of Los Angeles county; thence southeasterly along said last mentioned prolongation to the boundary of said last mentioned city; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the northerly boundary of the city of Lynwood, as same existed on above mentioned date, at or near the southeasterly corner of tract No. 6717, as shown on map recorded in book 106, pages 1 to 4, inclusive, of maps, records of said county; thence westerly along the boundary of said city of Lynwood and following the same in all its various courses to the center line of One Hundred Seventh place, formerly known as First

street of the Watts Park tract, as shown on map recorded in book 8, page 70 of maps, records of said county; thence southwesterly along the center line of One Hundred Seventh place to the easterly boundary of the city of Los Angeles as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of Avalon boulevard; thence southerly along the center line of Avalon boulevard to the center line of Rosecrans avenue; thence southwesterly and westerly along the center line of Rosecrans avenue to the center line of San Pedro street; thence southeasterly along the center line of San Pedro street and along the center line of Avalon boulevard to the southerly line of the "Portion of the San Pedro rancho" (known as the Beaudry Downey and Hayward tract), as shown on map recorded in book 4, page 348 of miscellaneous records of said county; thence westerly along the southerly line of said last mentioned tract and along the southerly line of the Straumer tract as shown on map recorded in book 21, page 131 of maps, records of said county, to the easterly line of Main street; thence southerly and southwesterly along said easterly line of Main street to the township line between township 3 south and township 4 south, San Bernardino meridian; thence westerly along said township line to the southeasterly boundary of the city of Los Angeles as same existed on above mentioned date; thence southwesterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the northwesterly corner of lot 1 of tract No. 4671, as shown on map recorded in book 56, pages 30 and 31 of maps, records of said county; thence due north to the center line of One Hundred Ninetieth street; thence westerly along the center line of One Hundred Ninetieth street to the easterly boundary of the city of Torrance as same existed on above mentioned date; thence northerly along the boundary of said city of Torrance and following the same in all its various courses to the center line of Prairie avenue at or near the most southerly corner of lot 8, tract No. 3321, as shown on map recorded in book 40, page 37 of maps, records of said county; thence northerly along the center line of Prairie avenue to the southwesterly boundary of the city of Hawthorne as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of One Hundred Twenty-eighth street; thence easterly along the center line of One Hundred Twenty-eighth street to the center line of Arlington street; thence northerly along the center line of Arlington street, northerly along quarter section line of section 2, township 3 south, range 14 west, San Bernardino meridian, to the first angle point in the southerly boundary of the city of Inglewood, as same existed on above mentioned date; thence northerly along the boundary of said last mentioned city to the point of beginning, shall constitute the sixty-seventh assembly district.

68. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of Torrance as same existed January 19, 1931, being also a point in the southeasterly boundary of the county of Los Angeles as same existed on above mentioned date; thence easterly along the boundary of aforesaid city of Torrance and following the same in all its various courses to the northeasterly corner of tract No. 2650 as shown on map recorded in book 26, page 98 of maps, records of Los Angeles county; being also a point in the boundary of the city of Redondo Beach as same existed on above mentioned date; thence southeasterly and northwesterly along said last mentioned boundary to the northeasterly corner of block 19, townsite of Redondo Beach, as shown on map recorded in book 89, pages 1 to 17 of miscellaneous records of said county, said point being an angle point in the boundary of the above mentioned city of Torrance; thence northeasterly along the boundary of said city of Torrance and following the same in all its various courses to the center line of One Hundred Ninetieth street, (from the east); thence easterly along the center line of One Hundred Ninetieth street to a point due north of an angle point in the boundary of the city of Los Angeles, as same existed on above mentioned date, at or near the northwesterly corner of lot 1 of tract No. 4671, as shown on map recorded in book 56, pages 30 and 31 of maps, records of said county; thence due south to the boundary of said last mentioned city; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to the township line between township 3 south and township 4 south, San Bernardino meridian; thence easterly along said township line to the easterly line of Main street; thence southwesterly and southerly along the easterly line of Main street to the center line of Dominguez street; thence easterly, northeasterly and southeasterly along the center line of Dominguez street to the northerly line of tract No. 3848 as shown on map recorded in book 42, pages 68 and 69 of maps, records of said county; thence easterly along said northerly line to the northerly line of tract No. 4054 as shown on map recorded in book 44, pages 39, 40 and 41 of maps, records of said county; thence easterly along said northerly line and the easterly prolongation thereof to the easterly line of Wilmington avenue; thence southwesterly along the easterly line of Wilmington avenue and the southwesterly prolongation thereof to the northerly boundary of the above mentioned city of Los Angeles; thence easterly along the boundary of said last mentioned city and following the same in all its various courses to a point in the above mentioned southeasterly boundary of the county of Los Angeles; thence southwesterly along

said last mentioned southeasterly county boundary and following the same in all its various courses to the point of beginning.

Also including the islands of Santa Catalina and San Clemente, shall constitute the sixty-eighth assembly district.

69. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of South Gate as same existed on January 19, 1931, said point being in the southwesterly corner of lot 1234, tract No. 2080, sheet No. 2, as shown on map recorded in book 22, pages 162 and 163 of maps, records of Los Angeles county; thence easterly along the boundary of said city and following the same in all its various courses to the southeasterly boundary of the Rancho San Antonio as shown on map recorded in book 1, page 789 of patents, records of said county; thence northeasterly along the boundary of said rancho to the center line of Anaheim Telegraph road; thence southeasterly and easterly along the center line of Anaheim Telegraph road to the center line of The Atchison, Topeka and Santa Fe Railway Company's right of way (main line to San Diego); thence southerly along the center line of said right of way to the northerly line of section 8, township 3 south, range 11 west, San Bernardino meridian; thence easterly and southerly along the northerly and easterly lines of said section to the southeasterly corner thereof; thence easterly along section lines to the northwesterly corner of section 14, said last mentioned township and range; thence southerly along the westerly line of said last mentioned section to the southwesterly corner thereof; thence easterly along section lines to the easterly boundary of the county of Los Angeles; thence southerly along the boundary of said county and following the same in all its various courses to the first intersection with the northerly boundary of the city of Long Beach as same existed on above mentioned date; thence westerly along the boundary of said city and following the same in all its various courses to the first intersection with the easterly boundary of the city of Compton, as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city to the southwesterly corner thereof, said southwesterly corner being on the southerly line of the Temple and Gibson tract as shown on map recorded in book 32, page 45 of miscellaneous records of said county; thence westerly along the southerly line of said tract and the southerly line of the "Portion of the San Pedro Rancho" (known as the Beaudry Downey and Hayward Tract) as shown on map recorded in book 4, page 348 of miscellaneous records of said county, to the center line of Avalon boulevard; thence northwesterly along the center line of Avalon boulevard to the center line of San Pedro street; thence northwesterly along the center line of San Pedro street to the center line of Rosecrans avenue; thence easterly and north-easterly along the center line of Rosecrans avenue to the center line of Avalon boulevard (from the north); thence northerly along the center line of Avalon boulevard to the first intersection with the southerly boundary of the city of Los Angeles, as same existed on above mentioned date; thence easterly along the boundary of said city and following the same in all its various courses to the center line of One Hundred Seventh place, formerly known as First street of the Watts Park tract, as shown on map recorded in book 8, page 70 of maps, records of Los Angeles county; thence northeasterly along the center line of One Hundred Seventh place to the westerly boundary of the city of Lynwood, as same existed on above mentioned date; thence northwesterly and easterly along the boundary of said last mentioned city to the first intersection with the boundary of aforesaid city of South Gate, at or near the southeasterly corner of lot 33 of tract No. 6717, as shown on map recorded in book 106, pages 1 to 4, inclusive, of maps, records of said county; thence northerly along the boundary of said last mentioned city and following the same in all its various courses to the point of beginning, shall constitute the sixty-ninth assembly district.

70. All that portion of the county of Los Angeles described as follows:

Beginning at the northwesterly corner of the city of Long Beach as same existed January 19, 1931, said point also being the northwesterly corner of the Gateway Park annex to the city of Long Beach; thence easterly along the boundary of said city and following the same in all its various courses to the southeasterly boundary of the county of Los Angeles as same existed on the above mentioned date; thence southwesterly along the boundary of said county and following the same in all its various courses to the southwesterly prolongation of the center line of Sixteenth place, as shown on map of Alamitos Beach townsite recorded in book 59, page 11, of maps, miscellaneous records of said county; thence northeasterly along the southwesterly prolongation and center line of Sixteenth place to the center line of Ocean boulevard; thence westerly along the center line of Ocean boulevard to the center line of Cherry avenue; thence northeasterly and northerly along the center line of Cherry avenue to the center line of Fourth street; thence westerly along the center line of Fourth street to the center line of Alamitos avenue; thence northeasterly along the center line of Alamitos avenue to the center line of California avenue; thence northerly along the center line of California avenue to the southwesterly boundary of the city of Signal Hill as same existed on the above mentioned date; thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the center line of California avenue; thence northerly along the center line of California avenue to the center line of Bixby road; thence easterly along the center line of Bixby road to the southerly prolongation of

the easterly boundary of the aforesaid city of Long Beach, said easterly boundary being at or near the easterly line of California avenue and the northerly line of Bixby road; thence northerly along said southerly prolongation and easterly boundary of the aforesaid city of Long Beach and following the same in all its various courses to the most southerly corner of lot 40, tract No. 3554 as shown on map recorded in book 38, pages 44 and 45 of maps, records of said county; thence southwesterly along the southwesterly prolongation of the southeasterly line of aforesaid lot 40 to the center line of Long Beach boulevard; thence northwesterly along the center line of Long Beach boulevard to the southeasterly boundary of the Long Beach boulevard district annexation to the city of Long Beach; thence northeasterly along the boundary of said annexation and following the same in all its various courses to the center line of Atlantic avenue; thence northerly along the center line of Atlantic avenue to the southerly boundary of the Gateway Park annexation to the city of Long Beach; thence westerly along the boundary of said annexation and following the same in all its various courses to the point of beginning, shall constitute the seventieth assembly district.

71. All that portion of the county of Los Angeles described as follows:

Beginning at the southwesterly corner of lot 15 of the Stranier tract, as shown on map recorded in book 21, page 131 of maps, records of Los Angeles county, said point being in the easterly line of Main street; thence easterly along the southerly line of said lot 16, easterly along the southerly line of the Bassett tract, as shown on map recorded in book 2, page 44 of maps, records of said county; easterly along the southerly line of "Portion of the San Pedro Rancho" (known as the Baudry Downey and Hayward tract), as shown on map record in book 1, page 348 miscellaneous records of said county and easterly along the southerly line of the Temple and Gibson tract as shown on map recorded in book 22, page 45, miscellaneous records of said county to the southwesterly corner of the city of Compton as same existed January 19, 1931; thence easterly along the southerly boundary of said last mentioned city to the southeasterly corner thereof, said corner being a point in the northerly boundary of the city of Long Beach as same existed on above mentioned date; thence easterly along the boundary of said city of Long Beach to the southwesterly corner of the Gateway annexation to the city of Long Beach; thence easterly along the southerly boundary of said annexation to the center line of Atlantic avenue; thence southerly along the center line of Atlantic avenue to the first intersection with the boundary of the Long Beach boulevard district annexation to the city of Long Beach; thence southwesterly along the boundary of said last mentioned annexation and following the same in all its various courses to the center line of Long Beach boulevard; thence southeasterly along the center line of Long Beach boulevard to the southwesterly prolongation of the southeasterly line of lot 40, tract No. 3554 as shown on map recorded in book 38, pages 44 and 45, of maps, records of said county; thence northeasterly along said southwesterly prolongation to the first angle point in the boundary of the city of Long Beach as same existed on above mentioned date; thence southeasterly along the boundary of said last mentioned city and following the same in all its various courses to an angle point in said boundary at or near the northeasterly corner of California avenue and Bixby road; thence due south to the center line of Bixby road; thence westerly along the center line of Bixby road to the center line of California avenue; thence southerly along the center line of California avenue to the northerly boundary of the city of Signal Hill as same existed on above mentioned date; thence westerly along the boundary of said last mentioned city and following the same in all its various courses to the center line of that portion of California avenue lying southerly of Burnett street; thence southerly along the center line of California avenue to the center line of Alamosa avenue; thence southwesterly along the center line of Alamosa avenue to the center line of Fourth street; thence easterly along the center line of Fourth street to the center line of Cherry avenue; thence southerly and southwesterly along the center line of Cherry avenue to the center line of Ocean boulevard; thence easterly along the center line of Ocean boulevard to the center line of Eighteenth place; thence southwesterly along the center line of Sixteenth place and the southwesterly prolongation thereof to the southerly boundary of the county of Los Angeles as same existed on above mentioned date; thence westerly along the boundary of said county of Los Angeles and following the same in all its various courses to the first intersection with the northeasterly boundary of the city of Los Angeles as same existed on above mentioned date (Ostend addition); thence northwesterly along the boundary of said last mentioned city and following the same in all its various courses to the southwesterly prolongation of the center line of Wilmington avenue; thence northeasterly along the said southwesterly prolongation and center line of Wilmington avenue to the easterly prolongation of the northerly line of lot 72, tract No. 4054 as shown on map recorded in book 44, pages 39, 40 and 41 of maps, records of said county; thence westerly along said easterly prolongation and northerly line of lot 72, easterly along the northerly line of said last mentioned tract No. 4054, easterly along the northerly line of tract No. 3848 as shown on map recorded in book 42, pages 68 and 69 of maps, records of said county, to the center line of Dominguez street; thence northwesterly, southwesterly and westerly along the center line of Dominguez street to the easterly line of Main street and following the same in all its various courses to the point of beginning, shall constitute the seventy-first assembly district.

72. All that portion of the county of San Bernardino now comprised within the following townships, to wit: Chino, Ontario, Upland, Cucamonga, Etiwanda and San Bernardino, shall constitute the seventy-second assembly district.

73. All that portion of the county of San Bernardino not included within the seventy-second assembly district, as fixed and defined in this section shall constitute the seventy-third assembly district.

74. All that portion of the county of Orange included in and comprising the first, fourth and fifth supervisorial districts of said county as the same existed on January 1, 1931, shall constitute the seventy-fourth assembly district.

75. All that portion of the county of Orange not included within the seventy-fourth assembly district as fixed and defined in this section shall constitute the seventy-fifth assembly district.

76. The county of Riverside shall constitute the seventy-sixth assembly district.

77. The county of Imperial shall constitute the seventy-seventh assembly district.

78. All that portion of the county of San Diego, included and being in the city of San Diego, as the same existed on January 1, 1931, and included within the following described boundary lines, to wit: lying northerly and westerly of the center line of Twenty-eighth street at its southerly end, to wit: at the Bayshore line, and thence running northerly along the center line of Twenty-eighth street to the intersection with the center line of Broadway; thence easterly along the center line of Broadway to the intersection with the center line of Twenty-ninth street, thence northerly along the center line of Twenty-ninth street to the intersection with the center line of A street, thence westerly along the center line of A street to the intersection with the center line of Twenty-eighth street; thence northerly along the center line of Twenty-eighth street to the intersection with the center line of Upas street, thence westerly along the center line of Upas street to the intersection with the center line of Pershing drive; thence northerly along the center line of Pershing drive, to the intersection with the center line of Landis street. Thence westerly along the center line of Landis street to the intersection with the center line of Arnold street; thence northerly along the center line of Arnold street to the intersection with the center line of University avenue; thence westerly along the center line of University avenue to the center line of Park boulevard; thence northerly along the center line of Park boulevard to the intersection with the center line of Adams street; thence easterly along the center line of Adams street to the intersection with the center line of Alabama street; thence northerly along the center line of Alabama street to the intersection with the city boundary, at the northern termination of Alabama street in said city shall constitute the seventy-eighth assembly district.

79. All that portion of the county of San Diego included within the incorporated area of the city of San Diego as the same existed on January 1, 1931, not included within the seventy-eighth assembly district, as fixed and defined in this act, shall constitute the seventy-ninth assembly district.

80. All that portion of San Diego county not included within the seventy-eighth and seventy-ninth districts as fixed and defined by this act shall constitute the eightieth assembly district.

SEC. 2. Any precinct, or portion of any precinct, not specifically described herein as constituting a portion of either a senatorial or assembly district, shall be attached to and constitute a part of the senatorial or assembly district adjacent thereto and situated within the same county or city and county, having, as shown by the last federal census a less population than any other such district adjacent thereto."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading

Also:

MR. PRESIDENT: Your Committee on Reapportionment, to which was referred Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to the congressional districts—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that same do pass as amended.

Committee membership—15; committee vote: Ayes—13; noes—2.

MCKINLEY, Chairman.

SECOND READING OF SENATE BILL NUMBER ONE HUNDRED SIXTY-EIGHT.

Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to the congressional districts.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed bill, following the word "Lake", strike out the comma and insert in lieu thereof the word "and".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, lines 6 and 7, of the printed bill, following the word "Sonoma," strike out the words "and Yolo."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 12, of the printed bill, following the word "Sacramento," insert the word "Yolo."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, lines 15 and 16, of the printed bill, strike out the words "twentieth, twenty-first, twenty-second and twenty-third", and insert in lieu thereof the words "twenty-second, twenty-sixth, twenty-seventh and twenty-eighth".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 27, of the printed bill, strike out the words "thirteen, fourteenth, fifteenth and", and insert after the word "sixteenth", the words ", seventeenth, eighteenth and nineteenth".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 12, of the printed bill, strike out from lines 12 to 51, both inclusive; and on page 3, strike out lines 1 to 8, both inclusive, and insert in lieu thereof the following:

"11. All that portion of the county of Los Angeles comprising the forty-second, forty-third, forty-seventh and forty-eighth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the eleventh congressional district.

12. All that portion of the county of Los Angeles comprising the forty-ninth, fiftieth, fifty-first and fifty-third assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the twelfth congressional district.

13. All that portion of the county of Los Angeles comprising the forty-fifth, fifty-second and fifty-fourth and fifty-sixth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the thirteenth congressional district.

14. All that portion of the county of Los Angeles comprising the forty-fourth, fifty-fifth, sixty-second and sixty-fourth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the fourteenth congressional district.

15. All that portion of the county of Los Angeles comprising the fifty-seventh, fifty-eighth, sixty-third and sixty-fifth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the fifteenth congressional district.

16. All that portion of the county of Los Angeles comprising the forty-sixth, fifty-ninth, sixtieth and sixty-first assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the sixteenth congressional district.

17. All that portion of the county of Los Angeles comprising the sixty-sixth, sixty-seventh and sixty-eighth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the seventeenth congressional district.

18. All that portion of the county of Los Angeles comprising the sixty-ninth, seventieth and seventy-first assembly districts as such districts are constituted by

section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the eighteenth congressional district."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

SPECIAL ORDERS.

Senator McKinley moved that Senate Bill No. 168 be made a special order for Wednesday, April 8, 1931, at two o'clock p.m.

Also: Senator McKinley moved that Assembly Bill No. 301 be made a special order for Wednesday, April 8, 1931, at two o'clock p.m.

RUSH ORDER TO PRINTER.

On motion of Senator McKinley, the Secretary was directed to issue a rush order for printing Senate Bill No. 168 and Assembly Bill No. 301.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 290—An act to amend section 55 of the California Irrigation District Act, relating to tolls and charges for water;

Also: Assembly Bill No. 333—An act to amend sections 61b and 61c of the California Irrigation District Act, relating to the acquiring of property and the exchange of bonds therefor and the judicial determination of the legality of such bonds;

Also: Assembly Bill No. 1131—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section thereto, designated section 15e, relating to the powers of the board of directors, and amending section 30 thereof, relating to interest on bonds;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Assembly Bills Nos. 290, 333 and 1131 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 317—An act to amend section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," relating to funds—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 317—An act to amend section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary

therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," relating to funds.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER THIRTE HUNDRED SEVENTEEN.

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after the word "amend", insert the words "Section 14 and—".

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, after the word "of", insert the word "highways".

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out the figure "21", and insert "14".

AMENDMENT NUMBER THREE a.

On page 1, line 5, of the printed bill, after the word "of", insert the word "highway".

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, between lines 11 and 12, insert the following:

"Sec. 14. The board of directors shall in the month of July of each year determine the amount necessary to be raised by taxation, and shall fix a rate of taxes to be levied which will raise the amount of money required by the district, not exceeding, however, the rate of ten cents on each one hundred dollars of assessed valuation when the purpose of such taxes is to supply funds for investigating the project prior to the issuance of bonds and the payment of the officers and employees of the district prior to the time when the works of the district are earning revenue; *provided, however,* that all running expenses of the district prior to the time the works of the district are earning revenue, being a part of the cost of constructing and/or acquiring the works, may be paid from the proceeds of the bonds, and within a reasonable time previous to the time when the boards of supervisors are required by law to fix their tax rates, to certify to the boards of supervisors of each county within the district, or having a portion of its territory within the district, the rates so fixed with a direction that at the time and in the manner required by law for the levying of taxes for county purposes such board of supervisors shall levy and collect a tax in addition to such other tax as may be levied by such board of supervisors at the rate so fixed and determined, and it is made the duty of the officer or body having authority to levy taxes within each county or city and county to levy the tax so required, and it shall be the duty of all county or city and county officials charged with the duty of collecting taxes to collect such taxes in the time, form and manner as county or city and county taxes are collected, and when collected to pay the same to the district ordering its levy and collection, and such payments shall be made through the secretary of the district, and paid into the depository thereof, or into the state treasury to the credit of the district. Such taxes shall be a lien upon all property within the territory comprising the district, and of the same force and effect as other liens for taxes, and their collection may be enforced by the same means as provided for the enforcement of liens for county taxes; *provided,* that no taxes shall be levied by the board under the provisions of this section for the purpose of carrying out new projects after the original project for which the district was formed has been completed."

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, after the last amendment to be inserted between lines 11 and 12, insert the following:

"SEC. 2. Section 21 of said act is hereby amended to read as follows:"

AMENDMENT NUMBER SIX.

On page 2, lines 22 to 39, of the printed bill, strike out commencing with the words on line 22 reading "If the completion of construction of the works" and ending with the word "interest", on line 39, and insert the following: "If during the month of July next preceding the expiration of the period so estimated for the construction of the works it shall appear to the board of directors that the construction of the works is likely to be delayed beyond the period so estimated the board shall estimate the period of such delay and cause a tax to be levied and collected in the manner provided in section 14 hereof sufficient to produce the amount required to pay one year's interest on the bonds or, if such estimated period of delay shall be less than one year, the amount required to pay the interest which will accrue on the bonds during such estimated period of delay, and *provided, further,* that the amount of such tax shall be reduced to the extent that the district has funds on hand and available for the purpose of paying such interest."

AMENDMENT NUMBER SEVEN.

On page 4, line 2, of the printed bill, strike out the period and insert a semicolon and also insert the following: "*provided, however,* that until the construction of the works is completed it shall not be necessary to levy a tax to provide for repairs and depreciation of the works."

AMENDMENT NUMBER EIGHT.

On page 4, line 49, of the printed bill, strike out the words and figures "Sec. 2", and insert in lieu thereof "Sec. 3".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 317?

The roll was called, and the Senate refused to concur in Assembly amendments to Senate Bill No. 317 by the following vote:

AYES—None.

NOES—Senators Allen, Breed, Bush, Carter, Cassidy, Cleveland, Clock, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, and Wagy—27.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 932—An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit within which existing corporations shall maintain required minimum membership—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—10; absent—1.

BREED, Vice Chairman.

Senate Bill No. 932 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Insurance, to which was referred Senate Bill No. 857—An act to amend sections 30 and 31 of the Workmen's Compensation, Insurance and Safety Act, and to add a new section thereto to be numbered 31a—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—10; absent—1.

BREED, Vice Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Insurance, the following amendments to Senate Bill No. 857 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "amend sections 30 and 31 of", and insert in lieu thereof: "add section 70a to".

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out the comma following "act", and strike out the rest of line 2 and all of line 3 and insert in lieu thereof the following: "of 1917, relating to policies covering more than one employee."

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert in lieu thereof the following:

"SECTION 1. A new section is hereby added to the workmen's compensation, insurance and safety act of 1917, to be numbered 70a and to read as follows:

Sec. 70a. Two or more employers having in their employment employees not subject to the provisions of this act, may apply for and have issued to them by the state compensation fund a joint policy covering all such employees, or covering such employees together with other employees subject to the provisions hereof.

The premium on such policies shall be computed on the combined payroll of the employers covered; subject, however, to any minimum premium charge imposed under any other provision of this act or of the workmen's compensation, insurance and safety act. But a minimum premium on any such policy shall not exceed the minimum premium on a policy covering a single employer, in like occupations or pursuits."

Bill ordered to print, and re-referred to Committee on Insurance.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Deuel:

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 5812 of the School Code, relating to the retirement of teachers.

Request referred to Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Allen: Senate Joint Resolution No. 15—Relating to an immediate survey of forest insect conditions and for the control of forest insects.

CONSIDERATION OF SENATE JOINT RESOLUTION NUMBER FIFTEEN.

Senator Allen asked for, and was granted, unanimous consent for the consideration of Senate Joint Resolution No. 15, without reference to committee, for purpose of adoption.

SENATE JOINT RESOLUTION No. 15

Relating to an immediate survey of forest insect conditions and for the control of forest insects.

WHEREAS, The forests of California are seriously threatened with great losses due to the activities of bark beetles and other forest insects; and

WHEREAS, In parts of California forest insects have killed over one-half of all commercial timber with annual losses in excess of 10 per cent of the entire stand; and

WHEREAS, Forest insects also threaten timber of high value in recreational areas, having in past years killed all timber on some twenty thousand acres within the Yosemite National Park; and

WHEREAS, Forest insect losses are always greatest in years of deficient rainfall; and

WHEREAS, California is now confronted with a year of subnormal precipitation; and

WHEREAS, In past years funds for forest insect control have been largely diverted to use in other states in protecting timber of less value than timber in California; and

WHEREAS, The United States owns many millions of acres of timber land in California, upon which lands the insects are causing heavy losses to timber; and

WHEREAS, The owners of private lands adjoining such federal lands are unable to control forest insects unless the federal government also carries on control work; and

WHEREAS, For the control of forest insects there are now available federal funds that have not yet been allotted to other states; it is

Resolved, by the Senate and the Assembly, jointly, That \$100,000 of the federal fund should be allotted to California for making an immediate survey of forest insect conditions and for the control of forest insects where the survey shows the work to be most needed; and be it further

Resolved, That the Chief Forester of the United States, who has the authority to make the above allotment, be, and hereby is, urged to make the allotment to California; and be it further

Resolved, That a copy of this resolution be sent to the President of the United States, and to the Secretary of the Department of Agriculture, and to the Chief Forester of the United States.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Joint Resolution No. 15 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Cleveland, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Wagy, and Young—30.

NOES—None.

Title read and approved.

Senate Joint Resolution No. 15 ordered transmitted to the Assembly.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following resolution was offered:

By Senator Wagy: Senate Concurrent Resolution No. 27—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the twenty-fourth day of March, 1931.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NUMBER
TWENTY-SEVEN.

Senator Wagy asked for, and was granted, unanimous consent for the consideration of Senate Concurrent Resolution No. 27, without reference to committee, for purpose of adoption.

Senate Concurrent Resolution No. 27—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the twenty-fourth day of March, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called and Senate Concurrent Resolution No. 27 adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Young—30.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 27 ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.
SECOND READING OF SENATE BILLS.

Senate Bill No. 654—An act to amend section 3265g of the Civil Code, relating to stopping payment of checks.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 935—An act granting to the City and County of San Francisco lands known as "Channel" or "Channel street," southwesterly from the northeasterly line of Seventh street in said city and county; and authorizing said City and County of San Francisco to

dispose of portions of said street, or otherwise deal with or improve said portion of said street as said city and county may deem proper; and repealing all acts in conflict therewith.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 342—An act to amend sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of adverse claims to real property, issuance and publication of summons, and the entry of judgment therein.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, beginning in line 15 thereof, strike out the following: "within twenty (20) years prior to the filing of plaintiffs complaint".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 20, of the printed bill, strike out the following: "and of all unknown persons".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 3 of the printed bill, beginning in line 31 thereof, strike out the following: ". against all persons of record named, or unnamed to claim any interest, or who appear of record who have an interest, arising more than twenty (20) years prior to the following of plaintiffs complaint."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 41, of the printed bill, strike out the following: "unknown,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 46, of the printed bill, strike out the comma, and insert in lieu thereof a period.

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3 of the printed bill, beginning in line 46 thereof, strike out the following: "except those named as defendants and personally served with summons as herein provided".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 343—An act to add a new section to be known as section 751a of the Code of Civil Procedure, relating to a person who has received or taken title to real property in a certain name and thereafter disposes of it in a different name than the name in which it was received.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 13, of the printed bill, after the word "and", insert the following: "the petitioner must".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 33, of the printed bill, strike out the word "and", and insert in lieu thereof the following: "any".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 187—An act to fix the fees to be paid to referees, appraisers or commissioners appointed by the court in condemnation proceedings.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "fifty", and insert in lieu thereof the word "twenty-five".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 810—An act to amend section 365f of the Political Code, relating to the power of the California Highway Commission to acquire lands for highway and other purposes and to construct and maintain State highways and other improvements incident thereto.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 15, of the printed bill, after the letters "pality", insert "or contiguous municipalities".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Senate Bill No. 392—An act appropriating money to pay the claim of J. A. Beek against the State of California.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In lines 1 and 2 of the printed bill, strike out the words "twenty-nine thousand one hundred forty-six dollars and fifty-two cents", and insert in lieu thereof "thirty-one thousand twenty dollars and eighty-seven cents".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 147—An act to amend section 4 of chapter 740, Statutes of 1927, entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other political subdivision

within this State, and to repeal all acts or parts of acts in conflict with this act," approved May 24, 1927, relating to the deposit of bonds of municipal water districts and bridge and highway districts as security.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 7 of the title of the printed bill, amend said title by inserting between the word "of", and the word "municipal", the following: "metropolitan water districts,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, after the comma following the word "town", insert the following: "metropolitan water district,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 1, of the printed bill, after the comma following the word "town", insert the following: "metropolitan water district,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 10, of the printed bill, after the comma following the word "town", insert the following: "metropolitan water district,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 18, of the printed bill, after the comma following the word "town", insert the following: "metropolitan water district,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 48, of the printed bill, after the comma following the word "town" insert the following: "metropolitan water district,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1047—An act to define the liability of stockholders in California State banks and to provide for the enforcement and collection of that liability by the Superintendent of Banks of the State of California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1048—An act to amend an act entitled "An act to define and regulate the business of banking," approved March 1, 1909, as amended, designated the "Bank Act," by amending sections 25, 26, 32, 40, 44, 48a, 61, 65, 68, 83, 84, 101, 105, 133, 137, and 140, and by repealing section 17 and by adding new sections to be known as sections 8a, 16f, and 136c, all relating to the definition and regulation of the business of banking.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1315—An act to establish the line of ordinary high tide in certain parts of Newport Bay in Orange County, California, in conformity with certain decrees of the superior court of the State of California, in and for the county of Orange, establishing said line of ordinary high tide.

Bill read second time, and ordered on file for third reading.

various school districts in such manner and upon such basis as the Legislature shall provide. In providing funds to pay the cost of operating and maintaining the elementary and high schools the Legislature shall resort to forms of taxation and to sources of revenue other than taxes on property.

To enable the Legislature to provide the funds for operating and maintaining elementary and high schools, the Legislature shall have and exercise full and complete power and authority, unrestricted by any other provisions of this constitution, to (a) provide for a sales tax to be used exclusively to defray the cost of operating and maintaining such schools, (b) determine and provide the method, manner, and means for levying a sales tax and for raising and providing the funds for operating and maintaining such schools and provide for the collection thereof, and (c) do and perform any and all other acts and things necessary, proper or convenient to accomplish the purpose of this provision: *provided*, that the sale of gasoline and the tax derived from such source shall not be deemed to be included within this provision, but the moneys derived from such tax shall continue to be used for the purposes now or to be hereafter authorized by law.

Nothing herein contained shall be deemed to prevent boards of supervisors from raising additional funds for the operation and maintenance of elementary and high schools within any school district in their respective counties, and the expending of such funds by the school trustees of such district. Boards of supervisors within their respective counties shall also be authorized to levy taxes within school districts in their respective counties to provide grounds, buildings and equipment for elementary and high schools and for the repair and maintenance thereof. Nothing herein contained shall be construed as requiring the state to provide or maintain any such grounds, buildings or equipment."

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out the word "the", at the end of the line, and the word "public", at the beginning of line 3, and add in lieu thereof the following: "elementary and high".

AMENDMENT NUMBER THREE.

In line 4 of the title of the printed bill, after the word "therefor", insert the following: "and authorizing a sales tax for such purpose".

Senate Constitutional Amendment No. 10 ordered to print, and re-referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Assembly Bill No. 287—An act to amend sections 3746 and 3756 of the Political Code, relating to tax collector's notice that taxes are due and fixing date of delinquency;

Also: Assembly Bill No. 1087—An act to add to the Penal Code a new section numbered 438, relating to taxation of transportation companies and passenger stage corporations;

Has had the same under consideration, and respectfully reports the same back, and recommends that same do pass.

Committee membership—13; committee vote: Ayes—12; absent—1.

NELSON, Chairman.

Assembly Bills Nos. 287 and 1087 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Revenue and Taxation, to which was referred Senate Bill No. 54—An act to amend section 11 of chapter 247, Statutes of 1913, entitled "An act to provide for the acquisition, installation, construction, reconstruction, extension, repair and maintenance by municipalities of water works, electric power works, gas works, lighting works, and other public works and utilities; for the assessment of the cost and expenses thereof upon the property benefited; and for the issuance of improvement bonds to represent such assessments, and to repeal an act entitled 'An act to provide for the lighting of public streets, lanes, alleys, courts and places in municipalities, and for the assessment of the costs and expenses thereof upon the property benefited thereby,' approved March 21, 1905," approved June 6, 1913, relating to redemption of property sold;

Also: Senate Bill No. 55—An act to amend sections 3746, 3756, 3758, 3759, 3764 and 3797 of the Political Code, relating to the collection of taxes;

Has had the same under consideration, and respectfully reports the same back, and recommends that same be re-referred to the Committee on Municipal Corporations.

Committee membership—13; committee vote: Ayes—12; absent—1.

NELSON, Chairman.

Senate Bills Nos. 54 and 55 ordered re-referred to Committee on Municipal Corporations.

ON CONSTITUTIONAL AMENDMENTS.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Constitutional Amendments, to which was referred Senate Constitutional Amendment No. 13—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by amending section 15 of article XIII thereof, relating to the taxation of motor transportation companies operating under franchise—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to Committee on Public Utilities.

Committee membership—9; committee vote: Ayes—6; absent—3.

ALLEN, Chairman.

Senate Constitutional Amendment No. 13 ordered re-referred to Committee on Public Utilities.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:
By Senator Swing:

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

Request referred to Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following resolution was offered:

By Senator Deuel: Senate Concurrent Resolution No. 28—Relating to a survey and an estimate of the cost of reconstructing the committee rooms in the State Capitol Building.

Referred to Committee on Governmental Efficiency.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 70—An act to amend sections 9 and 19 of chapter 186, Statutes of 1907, entitled "An act for the prevention of the manufacture, sale or transportation of adulterated, mislabeled or misbranded drugs, regulating the traffic in drugs and providing penalties for violation thereof," approved March 11, 1907, as amended, relating to the adulteration of drugs.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 70 passed by the following vote:

AYES—Senators Allen, Bush, Carter, Cleveland, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rochester, Schottky, Sharkey, Slater, Treacy, Waggy, and Young—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 425—An act to add a new section to be numbered 7½, to chapter 358, Statutes of 1925, entitled "An act authorizing the estab-

lishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," as amended, approved May 23, 1925, by adding thereto a new section to be designated as section 7½, relating to pensions for marshals and deputy marshals of cities of the first and one-half class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 425 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Clock, Deuel, Duval, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Pedrotti, Rochester, Schottky, Sharkey, Slater, and Treacy—24.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator Pedrotti:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 9 and 10, and insert the following: "shals and deputy marshals."

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print and re-engrossment, and transmitted to the Assembly.

Senate Bill No. 186—An act to amend section 12 of chapter 268, Statutes of 1903, entitled "An act to provide for the laying out, opening, extending, widening, or straightening, in whole or in part, of public highways and roads, streets, squares, lanes, alleys, courts and places within municipalities or within unincorporated territory and one or more municipalities, or lying within two or more municipalities; for the condemnation of property necessary or convenient for such purposes or of any interest therein, and for the establishment of assessment districts and the assessment of property therein to pay the expenses of such improvement, and providing for aid from the county or municipality for the expense of such improvement," relating to the compensation of referees.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 186 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Clock, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixter, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Wagy, and Young—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Concurrent Resolution No. 10—Relative to the orderly addition of new roads to the State highway system, after engineering and economic studies by the California Highway Commission and the Department of Public Works.

COMMITTEE AMENDMENT.

During the reading of the resolution, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed resolution, strike out lines 23 to 27, inclusive, and insert in lieu thereof the following:

"1. Additions shall during the next two years be made to the secondary state highway system totaling not more than fifteen per cent of the existing secondary state highway mileage as now constituted under chapter 794, statutes of 1927, approved May 26, 1927 (state highway classification act), said mileage to be added in the ratio of not less than three nor more than four miles in the south to one mile in the north."

Amendment adopted.

AMENDMENT FROM THE FLOOR.

During the reading of the resolution, the following amendment was offered, and its adoption moved by Senator Inman:

AMENDMENT NUMBER ONE.

On page 1, line 23, of the printed resolution, strike out the word "shall", and insert in lieu thereof the word "may".

Amendment adopted.

Senate Concurrent Resolution No. 10 ordered to print, engrossment, and on file.

RECESS.

On motion of Senator Breed at twelve o'clock and forty-one minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 362—An act to prohibit and prevent the waste of crude petroleum oil in the State of California and defining such waste, and in that behalf creating an Oil Conservation Commission; providing for the appointment of the members of said commission; fixing the terms of office of the members of said commission; providing for the filling of vacancies in the membership of said commission; providing for the powers, duties and authority of said commission and the members thereof; requiring producers of crude petroleum oil and operators of wells and owners and operators of any storage facilities of crude petroleum oil to make and file certain reports; providing for the filing and hearing of complaints concerning the waste of crude petroleum oil and for oaths, subpoenas and depositions; providing for the fixing of allowable production of crude petroleum oil for the State and for the several oil fields thereof, respectively, and for the several properties and wells in each such oil field, respectively, so as to stop such waste; providing for the enforcement of said act; providing penalties for refusing to permit the commission or its representatives to inspect any drilling or producing well or storage facilities and for failing, neglecting or refusing to furnish any report or record or statement required by the commission and for wilfully rendering or furnishing a false or fraudulent report, statement or record; creating a fund for the purposes of said act; providing for the assessment and collection thereof and making an appropriation for the purposes of this act—has had the same under consideration, and respectfully reports the same

back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—8; committee vote: Ayes—8.

SHARKEY, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Oil Industries, the following amendments to Senate Bill No. 362 were read and adopted:

AMENDMENT NUMBER ONE.

In line 25 of the title of the amended printed bill, amend the title by inserting after the word "several", the word "zones".

AMENDMENT NUMBER TWO.

On page 3, line 4, of the amended printed bill, strike out the word "three (3)" and insert in lieu thereof "five (5)".

AMENDMENT NUMBER THREE.

On page 3, line 36, of the amended printed bill, after the word "elect", insert the words "four (4) of".

AMENDMENT NUMBER FOUR.

On page 3, line 37, of the amended printed bill, strike out the word "one", and insert the word "two".

AMENDMENT NUMBER FIVE.

On page 3, line 38, of the amended printed bill, strike out the words "one for a term of three".

AMENDMENT NUMBER SIX.

On page 3, line 39, of the amended printed bill, strike out "(3) years and one", and insert in lieu thereof "and two (2)".

AMENDMENT NUMBER SEVEN.

On page 4, line 5, of the amended printed bill, strike out the word "be", and change the word "qualified" to "qualify".

AMENDMENT NUMBER EIGHT.

On page 4 of the amended printed bill, insert in paragraph after line 12, "the other member of said commission shall be appointed by the governor for a term of three (3) years, and his successor shall be appointed by the governor for a term of four years."

AMENDMENT NUMBER NINE.

On page 4, line 33, of the amended printed bill, after the word "mission", insert the words "from time to time".

AMENDMENT NUMBER TEN.

On page 6, line 40, of the amended printed bill, after the word "wasteful", insert the word "over".

AMENDMENT NUMBER ELEVEN.

On page 6 of the amended printed bill, strike out lines 48, 49, 50 and 51, and on page 7, strike out lines 1 and 2, and insert in lieu thereof, "The aggregate amount of production without waste, as so determined, shall be so allocated by the commission among the different fields and the different zones, properties and wells in the respective fields as to avoid discrimination in the quantity of production from any field or zone or property as compared with the quantity of production from any other field, zone or property, taking into consideration the extent of the respective fields, zones or properties and their recoverable oil content, the stage of development of each field or zone, the potential production of the wells, the size and condition of the wells, the quality of the oil produced from each field or zone, and the demand therefor."

AMENDMENT NUMBER TWELVE.

On page 7, line 12, of the amended printed bill, strike out the word "or".

AMENDMENT NUMBER THIRTEEN.

On page 7, line 12, of the amended printed bill, insert after the word "modification", the words "or setting aside".

AMENDMENT NUMBER FOURTEEN.

On page 7, line 14, of the amended printed bill, strike out the word "may", and insert in lieu thereof the word "shall".

AMENDMENT NUMBER FIFTEEN.

On page 7, line 15, of the amended printed bill, strike out the word "lease", and insert after the word "thereof", the words "filed with the state oil and gas supervisor".

AMENDMENT NUMBER SIXTEEN.

On page 7, line 22, of the amended printed bill, strike out the word "or", and insert after the word "modified", the words "or setting aside".

AMENDMENT NUMBER SEVENTEEN.

On page 7, line 41, of the amended printed bill, insert after the word "commission", the words "pending proceedings in".

AMENDMENT NUMBER EIGHTEEN.

On page 7, lines 41, 42 and 43, of the amended printed bill, strike out the words "either under a stay of the order by any court proceeding or otherwise and such order shall be held valid and enforceable by".

AMENDMENT NUMBER NINETEEN.

On page 7, line 47, of the amended printed bill, after the word "order", insert "of said court".

AMENDMENT NUMBER TWENTY.

On page 7, line 50, of the amended printed bill, after the word "order", insert "of said court".

AMENDMENT NUMBER TWENTY-ONE.

On page 8, line 16, of the amended printed bill, after the word "action", insert the words "by complaint in equity".

AMENDMENT NUMBER TWENTY-TWO.

On page 8, lines 19 and 20, of the amended printed bill, strike out the words "to restrain such violation and to enforce the provisions of such order", and insert in lieu thereof "to restrain the commission of waste as herein defined".

AMENDMENT NUMBER TWENTY-THREE.

On page 8, lines 26 and 27, of the amended printed bill, strike out after the word "order", the words "unless the court shall determine that the order is invalid", and insert in lieu thereof: "or may find to what extent waste is being committed as herein defined regardless of said order, and enter judgment accordingly."

AMENDMENT NUMBER TWENTY-FOUR.

On page 8, lines 44, 45, 46, 47, of the amended printed bill, strike out "by assessment levied and collected on the properties of every person, firm or corporation or association operating any well or wells for the production of crude petroleum oil in this state. The charges".

AMENDMENT NUMBER TWENTY-FIVE.

On page 8, line 44, of the amended printed bill, after the word "provided", insert the word "which".

AMENDMENT NUMBER TWENTY-SIX.

On page 8, line 51, of the amended printed bill, strike out the figures "1912", and insert in lieu thereof the figures "1915".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 9, line 2, of the amended printed bill, insert after the word "hereof", the words "and shall be paid into the petroleum and gas fund created by Sec. 46 of the act above referred to in addition to the amount provided for in said act."

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9, line 7, of the amended printed bill, strike out the word "oil".

AMENDMENT NUMBER TWENTY-NINE.

On page 9, line 14, of the amended printed bill, strike out the word "oil".

AMENDMENT NUMBER THIRTY.

On page 9, line 20, of the amended printed bill, strike out the word "that".

Bill ordered to print, and re-referred to Committee on Oil Industries.
Also:

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Senate Bill No. 492—An act to amend the title and sections 3, 6, 8, 15, 16 and 18 of, and to add a new section to be numbered 20a to, an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creating of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits

by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—8; committee vote: Ayes—7; absent—1.

SHARKEY, Chairman.

Senate Bill No. 492 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Bill No. 1212—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, and as amended June 1, 1923, January 17, 1929, and May 28, 1929, by amending the title and sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19 and 20 thereof, and by repealing sections 17a, 18a, 23, 24 and 25 thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—8; committee vote: Ayes—8.

SHARKEY, Chairman.

Assembly Bill No. 1212 ordered on file for second reading.

RECESS.

On motion of Senator Breed at two o'clock and twenty minutes p.m., the President of the Senate declared the Senate at recess to meet in the Assembly Chamber to hear an address by United States Senator Hiram W. Johnson.

RECONVENED.

At three o'clock and fifty minutes p.m., the Senate reconvened.

Arthur H. Breed, President pro tempore of the Senate, in the chair.
Secretary Joseph A. Beek at the desk.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 453—An act to amend chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to this committee.

Committee membership—15; committee vote: Ayes—13; absent—2.

YOUNG, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Fish and Game, the following amendments to Senate Bill No. 453 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, after "amend", insert the following: "section 5 of".

AMENDMENT NUMBER TWO.

In line 14 of the title of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "relating to the deterioration, waste and reduction of fish and fishery products,".

AMENDMENT NUMBER THREE.

On page 1, line 1. of the printed bill, after the period, insert the following: "Section 5 of chapter 551, statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the fish and game commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended, is hereby amended to read as follows:

SEC. 5. No person, firm or corporation shall suffer or cause any deterioration or waste of any fish caught or taken in the waters of this state, or brought into this state, and no person shall use any fish except fish offal in a reduction plant or by a reduction process; except of the species, in the manner and to the amount allowed by this act. No person, firm or corporation engaged in taking or catching fish shall take, catch or kill more fish than the boat or boats operated by said person, firm or corporation can handle without deterioration, waste or spoilage, and no person, firm or corporation shall accept or receive or agree to accept or receive more fish than the canning, packing or preserving plant or plants can handle without deterioration, waste or spoilage, and no person dealing in fish shall take, catch or kill, accept or agree to accept or receive more fish than can be handled without deterioration, waste or spoilage; *provided*, that in order to permit sardine canneries to operate efficiently and economically and at a constant rate of output approaching maximum capacity, and in order to allow such canning plants to discard broken and spoiled fish and fish of a size unsuitable for canning and unavoidable overcatches, it is hereby declared lawful for a canner of sardines actually engaged in canning sardines to take and use in a reduction plant in each calendar month sardines to the amount of twenty per cent of the amount of sardines actually received at such canning plant during each calendar month; *provided, further*, that in determining percentage of sardines used for reduction purposes by canneries it shall be deemed that a ton of sardines suitable for canning in size and condition will produce twenty cases of one pound oval cans of sardines (forty-eight cans to the case) or the equivalent, if other size cans are used.

It shall be lawful for the holders of permits therefor, as provided herein, to take and use sardines by reduction or extraction processes in the total amount or quantity not exceeding one hundred thousand tons during any one fiscal year, each ton containing two thousand pounds, wet weight, of sardines; each fiscal year after the first day of August, and not later than the tenth day of August, the fish and game commission shall allocate to and apportion among all qualified applicants therefor said amount of one hundred thousand tons of sardines for such use during the then current fiscal year. Said allocation and apportionment shall be upon an equal basis to all such qualified applicants. No greater quantity by weight of sardines shall be allocated to or for one plant than is allocated to or for any other plant for use during the then current fiscal year.

Every person engaged in the business of operating a cannery for the canning of sardines and who operates a reduction plant in conjunction therewith; also, any packer engaged in the business of preserving sardines by any one or more of the common methods of drying, salting, pickling or smoking and who likewise operates a reduction plant in connection therewith; and also any person, firm or corporation operating a plant exclusively as a reduction plant may apply to the fish and game commission for a permit or permits to use sardines by reduction or extraction processes, but each application for a permit during any fiscal year must be filed with the commission on or before August first of said fiscal year. The owner of two or more such plants is entitled to apply for and receive a permit for each thereof, but shall file a separate application for each permit desired.

Each application for such a permit shall contain a full description of the plant to be used and the equipment and process to be used, and shall also state the location of the plant, and the name and address of the owner and operator thereof.

No permit for the reduction of fish shall be issued to or for any plant, which is not in a condition to operate at the time of the filing of the application, nor shall any permit authorize or allow the use of sardines except in the plant specifically applied for and named in the permit, nor shall any permit be transferable to or for any other plant, nor shall more than one permit be issued to or for any one plant in any one fiscal year.

Within ten days from and after the final date for filing applications for permits hereunder, the fish and game commission shall pass upon the applications, filed

within the time limit herein specified, and shall thereupon, within the said ten days, grant and issue a permit to each applicant found to be qualified under the provisions of this act, but no permit shall be granted and/or issued to any applicant whose application was not filed on or before August first of the then current fiscal year.

Applications for such permits for and in respect to the fiscal year in which this act, as amended, takes effect shall be filed with the fish and game commission within ten days, and permits shall be issued within the next succeeding ten days, from and after the date upon which this amendment takes effect.

In order to provide for the efficient and economical operation of plants preserving sardines by the common methods of drying, salting, smoking, or pickling, it is hereby declared to be lawful for such plants to discard and use in a reduction plant or by reduction process such sardines as are unfit for drying, salting, smoking, or pickling, which are not deliberately taken into the plant in a condition unfit for processing.

Other fish, undesirable for canning, drying, salting, smoking, or pickling, may be used in a reduction process when the same are delivered at any canning, drying, salting, smoking, or pickling plant mixed with sardines or when received in a condition unfit for canning, drying, salting, smoking, or pickling; *provided*, that the same have not been deliberately taken into such plant in an unfit condition; *provided, further*, that any of such fish so used in a reduction plant by a canner of sardines shall be deemed the equivalent of sardines and included within the percentage of the total amount of sardines received by such canner during each calendar month herein allowed to be used by such canner of sardines in a reduction plant.

Bill ordered to print, and re-referred to Committee on Fish and Game.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 701—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and to repeal sections 20a and 24a, of and to add sections 30, 31, 32, 33, 34, 35, 36, 37, 38 and 39 to an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a Corporation Department and the office of 'Commissioner of Corporations,'" approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—15; absent—2.

CHRISTIAN, Chairman.

Senate Bill No. 701 ordered on file for second reading.

ADJOURNMENT.

At four o'clock and two minutes p.m., on motion of Senator Jones, the President pro tempore declared the Senate adjourned until ten o'clock a.m., Friday, April 3, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Friday, April 3, 1931.

The Senate met at ten o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack,

Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Tubbs, and Wagy—30.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, April 2, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator McKinley was, on motion of Senator Evans, granted leave of absence for this day.

Senator Nelson was, on motion of Senator Breed, granted leave of absence for this day.

Senator Young was, on motion of Senator Duval, seconded by Senator Jones, granted leave of absence until April 13, 1931.

Senator Inman was, on motion of Senator Jones, granted leave of absence for this day.

Senator Williams was, on motion of Senator Moran, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Schottky, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. W. Hollis of San Francisco.

APPOINTMENT OF SPECIAL COMMITTEE.

In accordance with Senator Inman's resolution, as printed in the Senate Journal of April 1st relative to the appointing of a committee to investigate a contract by the State Board of Education with an eastern book publishing house, to publish 300,000 copies of elementary text books, the President announced the appointment of Senators Inman, chairman, Swing, and Deuel.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 375—An act to amend section 3629 of the Political Code, relating to the statement of property owned subject to taxation;

Also: Assembly Bill No. 1683—An act to amend sections 3 and 7 of chapter 598, Statutes 1913, entitled "An act to regulate the practice of optometry; to provide for the appointment of a Board of Optometry, define its duties and powers and prescribing a penalty for the violation of this act," approved June 16, 1913, relating to the term of office, renewal period and disposition of fees;

Also: Assembly Bill No. 1682—An act to amend sections 8 and 10 of chapter 323, Statutes 1927, entitled "An act to insure the better education of practitioners of veterinary medicine, and to regulate the practice of veterinary medicine in the State of California, to provide for the creation of a board of five members who shall act under and in accordance with the provisions of this act; to provide for their appointment and define their powers, duties and compensation, to define offenses committed by acts done contrary to the provisions of this act, and providing penalties for the violation thereof; providing for the revocation or suspension, in certain cases, of licenses issued hereunder, and to repeal an act entitled 'An act to regulate the practice of veterinary medicine and surgery in the State of California,' approved March 23, 1893, and all other acts and parts of acts in conflict herewith, approved May 5, 1927, relating to license fees;

Also: Assembly Bill No. 1242—An act to amend section 2 of chapter 213, Statutes of 1901, entitled "An act to create a State Board of Accountancy and prescribe its duties and powers; to provide for the examination of and issuance of certificates

to qualified applicants, with the designation of certified public accountant; and to provide the grade of penalty for violations of the provisions hereof," approved March 23, 1901, as amended, relating to the State Board of Accountancy and the powers and duties thereof;

Also: Assembly Bill No. 896—An act to provide for the adoption and use of a uniform fire alarm code signal in all schools, hospitals and other public institutions.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 375 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bills Nos. 1683, 1682 and 1242 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 896 read first time, and referred to Committee on Public Health and Quarantine.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1792—An act to amend section 16 $\frac{1}{2}$ of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fifteenth class;

Also: Assembly Bill No. 1824—An act to amend section 2322 $\frac{1}{2}$ of the Political Code, relating to the office of agricultural commissioner in counties of the fifteenth class;

Also: Assembly Bill No. 1804—An act to amend section 19 $\frac{1}{2}$ of the Juvenile Court Law, relating to probation officers in counties of the fifteenth class;

Also: Assembly Bill No. 469—An act to amend sections 3.625, 3.632 and 3.634 of the School Code, relating to home instructors for physically handicapped persons;

Also: Assembly Bill No. 170—An act to amend section 365 $\frac{1}{2}$ of the Political Code, relating to highways.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1183—An act to amend section 4.922 of the School Code, relating to the computing of units of average daily attendance in secondary schools;

Also: Assembly Bill No. 909—An act to add a new section to the Political Code to be numbered 3236, relating to preference on public contracts and furnishing supplies;

Also: Assembly Bill No. 1138—An act to repeal part V of division IV of the School Code embracing sections 4.960 to 4.1353, both inclusive thereof, and to add a new part to division IV thereof, to be known as part V embracing sections 4.960 to 4.1044, both inclusive, all relating to elementary district, high school district and junior college district bonds;

Also: Assembly Bill No. 804—An act to add a new section to the School Code, to be numbered 2.657, relating to the annexation of elementary school districts to county high school districts;

Also: Assembly Bill No. 465—An act to add a new section to the Code of Civil Procedure, to be numbered 281 $\frac{1}{2}$, relating to the unlawful practice of the law;

Also: Assembly Bill No. 1162—An act relating to the supervision, investigation, and rehabilitation of wards of the juvenile court, committed to the care of any association, society, or corporation, embracing within its objects the purpose of caring for or obtaining homes for such persons;

Also: Assembly Bill No. 363—An act to amend section 4242 of the Political Code, relating to the salaries, fees and expenses of officers in counties of the thirteenth class;

Also: Assembly Bill No. 1888—An act creating a fish and game district to be known as the "San Francisco Game Refuge," providing for the protection of game and fish within such refuge and providing penalties for violation of the act.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1183 read first time, and referred to Committee on Education.

Assembly Bill No. 909 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bills Nos. 1138 and 804 read first time, and referred to Committee on Education.

Assembly Bill No. 465 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 1162 and 363 read first time, and referred to Committee on County Government.

Assembly Bill No. 1888 read first time, and referred to Committee on Fish and Game.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 18—Relating to an immediate survey of forest insect conditions and for the control of forest insects.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Joint Resolution No. 18 read, and referred to Committee on Federal Relations.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 3—An act to amend section 536 of the Penal Code, relating to the poisoning of any animal, the property of another;

Also: Senate Bill No. 141—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance;

Also: Senate Bill No. 654—An act to amend section 3265g of the Civil Code, relating to stopping payment of checks;

Also: Senate Bill No. 734—An act regulating the sale of grain in sacks, defining the term grain, providing that the sacks shall be sold and purchased as part of the same transaction;

Also: Senate Bill No. 935—An act granting to the City and County of San Francisco lands known as "Channel" or "Channel street" southwesterly from the northeasterly line of Seventh street in said city and county; and authorizing said City and County of San Francisco to dispose of portions of said street, or otherwise deal with or improve said portion of said street as said city and county may deem proper; and repealing all acts in conflict therewith;

And reports that the same have been correctly engrossed.

DEUEL, Vice Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 420—An act to add a new section to the School Code to be numbered 2,1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents—and reports that the same has been correctly re-engrossed.

DEUEL, Vice Chairman.

ON INSURANCE.

SENATE CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: Your Committee on Insurance, to which was referred Assembly Bill No. 923—An act to amend sections 633 and 633a, and to add sections 633a1, 633a2, 633a3, 633a4, 633a5, 633a6, 633a7, 633a8, 633a9, 633a10, 633a11, 633a12, 633a13, 633a14, 633a15, 633a16, 633a17, 633a18, 633a19, 633a20, 633a21, 633a22, 633a23, 633a24, 633a25, 633a26, 633a27, 633a28, 633a29, 633a30, 633a31, 633a32, 633a33, 633a34 and 633a35 to the Political Code, relating to the qualification, licensing and fees of insurance agents, brokers, and solicitors—has had the same under

consideration and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

BREED, Vice Chairman.

Assembly Bill No. 923 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, April 2, 1931.

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 449—An act to amend sections 6.470, 6.470-1, 6.470-2, 6.472, 6.473, 6.476 and 6.477 of the School Code, relating to the purchase of standard school supplies by the county superintendent of schools;

Also: Senate Bill No. 465—An act to amend section 2.801 of the School Code, relating to the liability of boards of school trustees, and to add a new section to the School Code, to be numbered section 2.990, providing for insurance by school districts;

Also: Senate Bill No. 840—An act to amend section 4 of chapter 277 of the Statutes of 1907, entitled "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bills Nos. 449, 465 and 840 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Assembly Bill No. 126—An act authorizing certain improvements upon the grounds of the California Schools for the Deaf and the Blind at Berkeley, California;

Also: Assembly Bill No. 1035—An act to amend section 5.742 of the School Code, relating to the payment of teachers;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Assembly Bills Nos. 126 and 1035 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Education, to which was referred Senate Bill No. 831—An act to amend sections 4.360, 4.361, 4.362, 4.365, 4.366, 4.372 of the School Code, and to add thereto new sections to be numbered 4.374, 4.375 and 4.376; to repeal chapter IV, embracing sections 4.460 to 4.501, both inclusive, chapter V, embracing sections 4.510 to 4.520, both inclusive, chapter VI, embracing sections 4.530 to 4.582, both inclusive, chapter VII, embracing sections 4.590 to 4.626, both inclusive, of part III of division IV of the School Code; to repeal chapter 397 of the Statutes of 1929 entitled "An act relating to maximum rates of tax for school district purposes," approved May 22, 1929—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—13; committee vote: Ayes—10; absent—3.

SLATER, Chairman.

Senate Bill No. 831 ordered on file for second reading.

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 1, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 8—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class, increasing the number of judges thereof;

Also: Senate Bill No. 571—An act to provide for the study of certain matters relating to crime, criminals, and penal laws, by the University of California;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Finance.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Senate Bills Nos. 8 and 571 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 10—An act to amend section 736*b* and repeal section 736*c* of the Political Code, relating to salaries of judges of the superior court;

Also: Senate Bill No. 520—An act to amend section 5 of chapter 845, Statutes of 1929, entitled "An act to establish salesrooms and industrial workshops for the blind, providing for the management, government and administration thereof, and making an appropriation for the establishment of a revolving fund therefor," relating to the Industrial Workshop Revolving Fund;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass, and be re-referred to Committee on Finance.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Senate Bills Nos. 10 and 520 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 108—An act regarding certificates of registration as "registered sanitarians" for persons performing the duties of sanitary inspectors or sanitary officers, prescribing terms and conditions under which such inspectors or officers may be employed, and providing penalties for the violation of the provisions hereof;

Also: Senate Bill No. 159—An act relating to certificates of registration of inspectors and sanitary officers as "registered sanitarians"; empowering the State Board of Public Health to certify approved schools, conduct examinations, and to issue or deny "registered sanitarian" certificates; and providing penalties for violation of this act;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to Committee on Public Health and Quarantine.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Senate Bills Nos. 108 and 159 ordered re-referred to Committee on Public Health and Quarantine.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 370—An act to add a new article to chapter 3 of title 1 of part III of the Political Code to be numbered article 11*a*, embracing sections 378 to 378*m*, inclusive, and to repeal article XI*a*, of chapter 3 of title 1 of part III of the Political Code, relating to a Department of Commerce—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Agriculture.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Senate Bill No. 370 ordered re-referred to Committee on Agriculture and Live Stock.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 137—An act to amend section 157 of the Code of Civil Procedure, relating to the qualifications of superior judges;

Also: Senate Bill No. 233—An act to amend sections 3 and 5 of chapter 753, Statutes of 1927, entitled "An act to establish the California State Historical Association, relative to providing for the appointment of a board of trustees for said association, and making an appropriation for its support during the seventy-ninth and eightieth fiscal years," approved May 25, 1927;

Also: Senate Bill No. 732—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 11 and 12 of chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining

licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the registrar of contractors and proceedings for revocation of licenses;
Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Senate Bills Nos. 137, 233 and 732 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 728—An act to add a new section to the Political Code to be numbered 440, relating to the issuance of warrants and the duties and obligations of the Controller and other persons in relation thereto;

Also: Senate Bill No. 729—An act to amend section 24 of chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, relating to references to the State Water Commission, as referee;

Also: Senate Bill No. 742—An act to amend chapter 586, Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending sections 37, 37a, 37c and 37f thereof and by adding thereto two new sections to be numbered 37g and 37h, all relating to the distribution of water in accordance with the rights thereto as determined by court decree or written agreement;

Also: Senate Bill No. 751—An act to create a fund to be known as the State Highway General Fund and providing for expenditures therefrom;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Senate Bills Nos. 728, 729, 742 and 751 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 600—An act to amend sections 2319a, 2319b and 2319e of the Political Code, relating to the duties of the State Commissioner of Horticulture;

Also: Assembly Bill No. 1096—An act to amend chapter 70, Statutes of 1929, entitled "An act creating the Department of Agriculture Fund, specifying what moneys are to be credited to this fund, providing that all moneys remaining in certain special funds at the time this act takes effect shall be credited to said fund, providing that separate record of income and disbursements be kept of all moneys accruing to this fund and providing for a revolving fund," approved April 9, 1929, by adding a new section thereto to be known as section 6, providing for the payment into the Department of Agriculture Fund, of moneys received by the Department of Agriculture under section 2319i of the Political Code;

Has had the same under consideration, and respectfully reports the same back, and recommends that they be re-referred to the Committee on Agriculture.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

Assembly Bills Nos. 600 and 1096 ordered re-referred to Committee on Agriculture and Live Stock.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 487—An act to amend sections 3 and 8 of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, as amended, relating to the State Board of Architectural Examiners;

Also: Assembly Bill No. 549—An act to amend section 363j of the Political Code, relating to the Department of Public Works;

Also: Assembly Bill No. 551—An act to amend section 2176 of the Political Code, relating to the Department of Institutions;

Also: Assembly Bill No. 644—An act to amend section 13 of chapter 248, Statutes of 1929, entitled "An act to establish an institution for the confinement, care and reformation of women misdemeanants, and women convicted of a felony the punishment for which is less than death; to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929;

Also: Assembly Bill No. 1735—An act authorizing and empowering the Director of Finance to convey real property belonging to State of California to the San Francisco Neighborhood Association, a corporation;
Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CRITTENDEN, Chairman.

RE-REFERENCE OF SENATE BILL.

Senator Hays moved that Senate Bill No. 487 be re-referred to the Committee on Governmental Efficiency.

Motion carried, and such was the order.

Assembly Bills Nos. 549, 551, 644 and 1735 ordered on file for second reading.

RE-REFERENCE OF ASSEMBLY BILL.

Senator Breed moved that Assembly Bill No. 618 be withdrawn from Committee on County Government, and re-referred to Committee on Judiciary.

Motion carried, and such was the order.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 538—An act to add a new section to be numbered 15a to chapter 189, Statutes of 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, to be numbered 15a, relating to the expenditure of money by the board of directors to advertise the lands, resources, conditions and business of the irrigation district.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In lines 9 and 10 of the title of the printed bill, strike out the words "lands, resources, conditions and", and insert in lieu thereof the word "electrical".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out all of lines 10, 11 and 12, and insert in lieu thereof the following: "engaged in distributing electrical energy at retail, may expend annually such an amount not exceeding one-half of one per cent of its gross annual income from such business as may be necessary for the proper advertising thereof."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 702—An act to repeal an act entitled "An act to define investment companies, investment brokers and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 934—An act to amend sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to **sanitary districts**.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 932—An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit within which existing corporations shall maintain required minimum membership.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 492—An act to add a new section to "An act to protect natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interest of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, to be numbered 16b, relating to bonds required of drillers of oil and gas wells.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 3, line 17, of the printed bill, as amended, before the word "inspection", insert the words "providing for the".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 7, line 30, of the printed bill, as amended, strike out the word "of", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 8, line 22, of the printed bill, as amended, before the word "inspection", insert the words "providing for the".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 701—An act to amend section 6 of chapter 532, Statutes 1917, as amended chapter 447, Statutes 1925, entitled "An act for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a Corporation Department and the office of Commissioner of Corporations."

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 13 of the title of the printed bill, as amended, before the word "corporation", insert the following: "state".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 23, line 30, of the printed bill, as amended, before the word "corporation", insert the word "state".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 24, line 12, of the printed bill, as amended, after the word "bond", insert a comma and the following: "note, treasury stock".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 24, lines 16 and 17, of the printed bill, as amended, strike out the following: "preorganization certificate, preorganization subscription".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 24, line 19, of the printed bill, as amended, after the word "security", strike out the period and insert the following: "., excepting therefrom any certificate, receipt or other instrument issued to the owner or holder of any stock, bond, debenture, evidence of indebtedness, or other instrument, in exchange for such stock, bond, debenture, evidence of indebtedness, or other instrument, deposited by such owner or holder with a depository under an agreement providing for the protection or enforcement of the rights and interests of the depositing owners or holders, or for the collection of and or enforcement of the lien securing such stock, bond, debenture, evidence of indebtedness, or other instrument, or for the joint action and or the protection otherwise of such owners or holders".

Amendment adopted.

AMENDMENT NUMBER FIVE a.

On page 25, line 12, of the printed bill, as amended, strike out the period, and insert the following: ", *provided however*, that said term shall not be construed to include any licensed, practicing attorney who renders or performs any of said services in connection with the practice of law."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 25, line 50, of the printed bill, as amended, strike out the words "within this state", and insert in lieu thereof a comma.

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 27, line 31, of the printed bill, as amended, before the word "more", insert the following: "not".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 28, line 29, of the printed bill, as amended, after the period, insert the following: "If, after such an order is made, a request for a hearing is filed in writing and no hearing is held within sixty days thereafter, such order shall be deemed to have been rescinded."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 29, line 15, of the printed bill, as amended, strike out the words "of all", and insert in lieu thereof "by said broker of all his obligations under".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 29, line 41, of the printed bill, as amended, strike out the word "office", and insert in lieu thereof "officer".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 30 of the printed bill, as amended, strike out all of lines 29 to 32, inclusive, and insert in lieu thereof the following: "case the application of either subdivision is purely technical and does not substantially affect applicant's honesty and integrity, and that the inability of applicant to meet either of these requirements will in no way interfere with a proper performance by the applicant of his duties as a broker or agent, as the case may be. The commissioner may at any".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 30 of the printed bill, as amended, strike out all of lines 47 to 50, inclusive, and insert in lieu thereof the following: "the particular case the application of either subdivision is purely technical and does not substantially affect applicant's honesty and integrity, and that the inability of applicant to meet either of these requirements will in no way interfere with a proper performance by the applicant of his duties as a broker or agent, as the case may be."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 31 of the printed bill, as amended, strike out all of lines 3 to 6, inclusive, and insert in lieu thereof the following:

"Sec. 8. Every installment purchase contract involving the sale of a security proposed to be used by any broker shall be upon a form which shall have been submitted to and approved by the commissioner, and shall contain clauses specifying:"

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 31, line 9, of the printed bill, as amended, strike out the whole thereof.

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 31, line 10, of the printed bill, as amended, strike out the letter "c", and insert the letter "b".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 31 of the printed bill, as amended, strike out all of line 12, and insert in lieu thereof the following:

"(c) The conditions, if any, under which calls for additional margin".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 32 of the printed bill, as amended, strike out all of lines 28 to 32, inclusive, and insert in lieu thereof the following: "that in the particular case the application of either subdivision is purely technical and does not substantially affect applicant's honesty and integrity, and that the inability of applicant to meet either of these requirements will in no way interfere with a proper performance by the applicant of his duties as an investment counsel."

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 32, line 37, of the printed bill, as amended, strike out the word "sixty", and insert in lieu thereof the word "thirty".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 32 of the printed bill, as amended, strike out all of lines 48 to 51, inclusive, and insert in lieu thereof the following: "in the particular case the application of either subdivision is purely technical and does not substantially affect applicant's honesty and integrity, and that the inability of applicant to meet either of these requirements will in no way interfere with a proper performance by the applicant of his duties as an investment counsel."

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 33 of the printed bill, as amended, strike out all of lines 1 to 31, inclusive.

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 33 of the printed bill, as amended, strike out all of line 32, and insert in lieu thereof the following:

"SEC. 9. Section 10 of said act is hereby amended to read".

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 33 of the printed bill, as amended, strike out all of line 34, and insert in lieu thereof the following:

"Sec. 10. No person, partnership, association or corporation, other than a broker holding a broker's certificate then in effect,".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 33, lines 48 and 49, of the printed bill, as amended, strike out the following: "be subscribed thereto", and insert in lieu thereof the following: "appear thereon".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 34 of the printed bill, as amended, strike out all of line 10, and insert in lieu thereof the following:

"SEC. 10. Section 11 of said act is hereby amended to read".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 34, line 12, of the printed bill, as amended, strike out the numeral "12", and insert in lieu thereof the numeral "11".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 34, line 14, of the printed bill, as amended, after the word "accounts", insert the following: "of such sales and the disposition of the proceeds thereof".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 34, line 23, of the printed bill, as amended, strike out the numeral "12", and insert in lieu thereof the numeral "11", and strike out the numeral "13", and insert the numeral "12".

Amendment adopted.

AMENDEDMENT NUMBER TWENTY-EIGHT.

On page 34, line 25, of the printed bill, as amended, strike out the numeral "13", and insert in lieu thereof the numeral "12".

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 34, line 30, of the printed bill, as amended, strike out the numeral "13", and insert in lieu thereof the numeral "12", and strike out the numeral "14", and insert in lieu thereof the numeral "13".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 34, line 32, of the printed bill, as amended, strike out the numeral "14", and insert in lieu thereof the numeral "13".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 34, line 39, of the printed bill, as amended, strike out the numeral "14", and insert in lieu thereof the numeral "13", and strike out the numeral "15", and insert in lieu thereof the numeral "14".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 34, line 41, of the printed bill, as amended, strike out the numeral "15", and insert in lieu thereof the numeral "14".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 35, line 3, of the printed bill, as amended, strike out the numeral "15", and insert in lieu thereof the numeral "14", and strike out the numeral "16", and insert in lieu thereof the numeral "15".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 35, line 5, of the printed bill, as amended, strike out the numeral "16", and insert in lieu thereof the numeral "15".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 35, line 16, of the printed bill, as amended, strike out the numeral "16", and insert in lieu thereof the numeral "15", and strike out the numeral "17", and insert in lieu thereof the numeral "16".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 35, line 18, of the printed bill, as amended, strike out the numeral "17", and insert in lieu thereof the numeral "16".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 35, line 20, of the printed bill, as amended, strike out the following: "shall be void."

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 35, line 25, of the printed bill, as amended, strike out the word "ten", and insert in lieu thereof the word "sixty".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 35 of the printed bill, as amended, strike out all of lines 28 to 30, inclusive, and insert in lieu thereof the following: "The issuance of all securities of the same issue then issued, outstanding and/or subscribed as of the date and in the number of their actual issuance, and the commissioner is authorized, in his discretion, to issue such subsequent permit. If said permit is issued within said time note of said securities shall be voidable by reason of being issued without a permit or by reason of being issued otherwise than in conformity with the terms of the original permit."

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 35, line 31, of the printed bill, as amended, strike out the numeral "17", and insert in lieu thereof the numeral "16", and strike out the numeral "18", and insert in lieu thereof the numeral "17".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 35, line 33, of the printed bill, as amended, strike out the numeral "18", and insert in lieu thereof the numeral "17".

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 35, line 45, of the printed bill, as amended, strike out the numeral "18", and insert in lieu thereof the numeral "17", and strike out the numeral "19", and insert in lieu thereof the numeral "18".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 35, line 47, of the printed bill, as amended, strike out the numeral "19", and insert in lieu thereof the numeral "18".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 36, lines 14 and 15, of the printed bill, as amended, strike out the following: "without first informing the commissioner of the falsity of such statement in writing."

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 36, line 21, of the printed bill, as amended, strike out the word "issued", and insert the word "used".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 36, line 42, of the printed bill, as amended, strike out the numeral "19", and insert in lieu thereof the numeral "18", and strike out the numeral "20", and insert in lieu thereof the numeral "19".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 36, line 44, of the printed bill, as amended, strike out the numeral "20", and insert in lieu thereof the numeral "19".

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 37, line 5, of the printed bill, as amended, strike out the numeral "20", and insert in lieu thereof the numeral "19", and strike out the numeral "21", and insert in lieu thereof the numeral "20".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 37, line 7, of the printed bill, as amended, strike out the numeral "21", and insert in lieu thereof the numeral "20".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 37, line 16, of the printed bill, as amended, after the word "fact", insert the following: "together with the reasons therefor,".

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 37, line 17, of the printed bill, as amended, strike out the numeral "21", and insert in lieu thereof the numeral "20", and strike out the numeral "22", and insert in lieu thereof the numeral "21".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 37, line 19, of the printed bill, as amended, strike out the numeral "22", and insert in lieu thereof the numeral "21".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 37, line 33, of the printed bill, as amended, strike out the numeral "22", and insert in lieu thereof the numeral "21", and strike out the numeral "23", and insert in lieu thereof the numeral "22".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 37, line 35, of the printed bill, as amended, strike out the numeral "23", and insert in lieu thereof the numeral "22".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 37 of the printed bill, as amended, strike out all of lines 40 to 47, inclusive, and insert in lieu thereof the following: "authorized by him. The commissioner may employ an attorney to render opinions to him upon all questions of law relating to the construction or interpretation of this act or arising in the administration thereof, and to represent the commissioner in all actions and proceedings brought by or against him under or pursuant to any of the provisions of this act. Such attorney shall receive such compensation as the commissioner shall fix and determine but not exceeding the sum of five thousand dollars per annum and shall devote his entire time to such employment. Neither the commissioner nor any of".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 38, line 2, of the printed bill, as amended, after the word "compensation", insert the following: "and the compensation of any attorney employed as herein authorized".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 38, line 8, of the printed bill, as amended, strike out the numeral "23", and insert in lieu thereof the numeral "22", and strike out the numeral "24", and insert in lieu thereof the numeral "23".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 38, line 10, of the printed bill, as amended, strike out the numeral "24", and insert in lieu thereof the numeral "23".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 38 of the printed bill, as amended, strike out all of lines 23 to 29, inclusive, and insert in lieu thereof the following: "a reasonable time, not exceeding thirty days, take possession of the books, records, accounts and other papers of any company, broker, agent or investment counsel and place a keeper in exclusive charge and custody of the same in the office or place where the same are usually kept. During such possession and custody it shall be unlawful for any person to remove or attempt to remove any of the said books, records, accounts and other papers, or any part thereof, except in compliance with a court order or written consent of the commissioner; *provided, however,* that the officers, partners, directors and stockholders shall have the right to inspect and examine the same and make entries therein. Such power shall not be terminated by the suspension".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 39, line 21, of the printed bill, as amended, strike out the numeral "24", and insert in lieu thereof the numeral "23", and strike out the numeral "25", and insert in lieu thereof the numeral "24".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 39, line 23, of the printed bill, as amended, strike out the numeral "25", and insert in lieu thereof the numeral "24".

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 39, line 47, of the printed bill, as amended, strike out the numeral "25", and insert in lieu thereof the numeral "24", and strike out the numeral "26", and insert in lieu thereof the numeral "25".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 39, line 49, of the printed bill, as amended, strike out the numeral "26", and insert in lieu thereof the numeral "25".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 40, line 6, of the printed bill, as amended, strike out the numeral "26", and insert in lieu thereof the numeral "25", and strike out the numeral "27", and insert in lieu thereof the numeral "26".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 40, line 8, of the printed bill, as amended, strike out the numeral "27", and insert in lieu thereof the numeral "26".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 42, line 6, of the printed bill, as amended, strike out the numeral "27", and insert in lieu thereof the numeral "26", and strike out the numeral "28", and insert in lieu thereof the numeral "27".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 42, line 8, of the printed bill, as amended, strike out the numeral "28", and insert in lieu thereof the numeral "27".

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 42, line 35, of the printed bill, as amended, strike out the word "or", and insert in lieu thereof the word "for".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 42, line 44, of the printed bill, as amended, strike out the numeral "28", and insert in lieu thereof the numeral "27", and strike out the numeral "29", and insert in lieu thereof the numeral "28".

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 42, line 46, of the printed bill, as amended, strike out the numeral "29", and insert in lieu thereof the numeral "28".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 43, line 7, of the printed bill, as amended, strike out the numeral "29", and insert in lieu thereof the numeral "28", and strike out the numeral "30", and insert in lieu thereof the numeral "29".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 43, line 9, of the printed bill, as amended, strike out the numeral "30", and insert in lieu thereof the numeral "29".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 43, line 15, of the printed bill, as amended, strike out the numeral "30", and insert in lieu thereof the numeral "29", and strike out the numeral "31", and insert in lieu thereof the numeral "30".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 43, line 17, of the printed bill, as amended, strike out the numeral "31", and insert in lieu thereof the numeral "30".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 43, line 38, of the printed bill, as amended, strike out the numeral "31", and insert in lieu thereof the numeral "30", and strike out the numeral "32", and insert in lieu thereof the numeral "31".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 43, line 40, of the printed bill, as amended, strike out the numeral "32", and insert in lieu thereof the numeral "31".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 43, line 48, of the printed bill, as amended, strike out the numeral "32", and insert in lieu thereof the numeral "31", and strike out the numeral "33", and insert in lieu thereof the numeral "32".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 43, line 50, of the printed bill, as amended, strike out the numeral "33", and insert in lieu thereof the numeral "32".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 43, line 51, of the printed bill, as amended, strike out the words "board of control", and insert in lieu thereof the words "department of finance".

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 44, line 3, of the printed bill, as amended, strike out the numeral "33", and insert in lieu thereof the numeral "32", and strike out the numeral "34", and insert in lieu thereof the numeral "33".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 44, line 5, of the printed bill, as amended, strike out the numeral "34", and insert in lieu thereof the numeral "33".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-TWO.

On page 44, line 6, of the printed bill, as amended, after the word "domestic", insert the words "or foreign".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-THREE.

On page 44, lines 7 and 8, of the printed bill, as amended, strike out the words "and set forth in the articles of incorporation".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FOUR.

On page 44, line 23, of the printed bill, as amended, after the word "domestic", insert the words "or foreign".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-FIVE.

On page 44, line 34, of the printed bill, as amended, strike out the numeral "34", and insert in lieu thereof the numeral "33", and strike out the numeral "35", and insert in lieu thereof the numeral "34".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SIX.

On page 44, line 36, of the printed bill, as amended, strike out the numeral "35", and insert in lieu thereof the numeral "34".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-SEVEN.

On page 45, line 4, of the printed bill, as amended, strike out the numeral "35", and insert in lieu thereof the numeral "34", and strike out the numeral "36", and insert in lieu thereof the numeral "35".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-EIGHT.

On page 45, line 6, of the printed bill, as amended, strike out the numeral "36", and insert in lieu thereof the numeral "35".

Amendment adopted.

AMENDMENT NUMBER EIGHTY-NINE.

On page 45, line 11, of the printed bill, as amended, strike out the numeral "36", and insert in lieu thereof the numeral "35", and strike out the numeral "37", and insert in lieu thereof the numeral "36".

Amendment adopted.

AMENDMENT NUMBER NINETY.

On page 45, line 13, of the printed bill, as amended, strike out the numeral "37", and insert in lieu thereof the numeral "36".

Amendment adopted.

AMENDMENT NUMBER NINETY-ONE.

On page 45, lines 14 and 15, of the printed bill, as amended, strike out the words "hereafter executed".

Amendment adopted.

AMENDMENT NUMBER NINETY-TWO.

On page 45, line 30, of the printed bill, as amended, strike out the numeral "37", and insert in lieu thereof the numeral "36", and strike out the numeral "38", and insert in lieu thereof the numeral "37".

Amendment adopted.

AMENDMENT NUMBER NINETY-THREE.

On page 45, line 32, of the printed bill, as amended, strike out the numeral "38", and insert in lieu thereof the numeral "37".

Amendment adopted.

AMENDMENT NUMBER NINETY-FOUR.

On page 45, line 40, of the printed bill, as amended, strike out the numeral "38", and insert in lieu thereof the numeral "37", and strike out the numeral "39", and insert in lieu thereof the numeral "38".

Amendment adopted.

AMENDMENT NUMBER NINETY-FIVE.

On page 45, line 42, of the printed bill, as amended, strike out the numeral "39", and insert in lieu thereof the numeral "38".

Amendment adopted.

AMENDMENT NUMBER NINETY-SIX.

On page 45, line 44, of the printed bill, as amended, strike out the numeral "40", and insert in lieu thereof the numeral "38".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 227—An act to amend section 1188 of the Political Code, relating to independent nominations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed amended bill, strike out lines 8 to 11, inclusive, and insert in lieu thereof the following:

"1188. A candidate for any public office including presidential electors either as individuals or by group as provided in section 1197 of this code, for which no non-partisan candi-".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 22, of the printed amended bill, strike out "one", and insert in lieu thereof the following: "five".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 8, of the printed amended bill, after the word "manner", insert the word "of".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 24, of the printed amended bill, after the word "that", insert the following: "the candidate and".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

SENATE COMMITTEE MEETING.

Senator Slater announced a special committee meeting of the Committee on Education on Wednesday, April 8th, immediately after adjournment of the Senate.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 480—An act to amend section 627 of the Penal Code, relating to trespass.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 9, of the printed bill, strike out the word "forbidden", and insert in lieu thereof the word "forbidding".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 256—An act to amend section 427 of the Code of Civil Procedure, relating to causes of action which may be united.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 568—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 970—An act to amend section 5 of an act entitled "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary districts in any part of the State, for the construction of sewers, septic tanks and other sanitary purposes; the acquisition of property thereby; the calling and conducting of elections in such districts; the assessment, levy, collection, custody and disbursement of taxes therein; the issuance and disposal of bonds thereof and the determination of their validity and making provision for the payment of such bonds and the disposal of their proceeds; to empower sanitary boards to make and enforce sanitary regulations and providing penalties for violation thereof."

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1054—An act to amend section 1, as amended, of the act entitled "An act to make available for the use of the United States government suitable places in this State for the public defense, and for that purpose authorizing any county or municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereon, acquire by condemnation or otherwise land within the county or municipal corporation, and in consideration of the benefits to be derived therefrom by

such county or municipal corporation to convey the same to the United States; conferring on such counties and municipal corporations the power of eminent domain for the purposes of this act, and providing the procedure therefor; granting the consent of the State to such conveyance, and ceding exclusive jurisdiction to the United States over the lands so conveyed," approved May 27, 1921, by conferring on any county, city and county, or municipal corporation now or hereafter organized, the power to acquire land within or without the county, city and county, or municipal corporation, and to convey the same to the United States.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 18 of the title of the printed bill, as amended in Assembly March 10, 1931, strike out "by", and insert in lieu thereof the following: "and to add a new section thereto, to be known as section 5,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed bill, as amended in Assembly March 10, 1931, strike out "or city and county".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 16, of the printed bill, as amended in Assembly March 10, 1931, strike out ", city and county,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 22, of the printed bill, as amended in Assembly March 10, 1931, strike out ", city and county".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 24, of the printed bill, as amended in Assembly March 10, 1931, strike out ", city and county,".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 29, of the printed bill, as amended in Assembly March 10, 1931, strike out ", city and county".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 30, of the printed bill, as amended in Assembly March 10, 1931, strike out "or city and county".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 34, of the printed bill, as amended in Assembly March 10, 1931, strike out ", city and county,".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 2, line 38, of the printed bill, as amended in Assembly March 10, 1931, strike out ", city and county,".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 2, line 41, of the printed bill, as amended in Assembly March 10, 1931, strike out "city and county".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 2, line 43, of the printed bill, as amended in Assembly March 10, 1931, strike out "or city and county".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 2, line 51, of the printed bill, as amended in Assembly March 10, 1931, strike out "or city and county".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 3, lines 12 and 13, of the printed bill, as amended in Assembly March 10, 1931, strike out "city and county".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 3, lines 15 and 16, of the printed bill, as amended in Assembly March 10, 1931, strike out "city and county".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 3, after line 40 of the printed bill, as amended in Assembly March 10, 1931, insert the following:

"SEC. 4. A new section is hereby added to the act cited in the title hereof, to be known as section 5, to read as follows:

Sec. 5. This act shall apply to any city and county as well as to any county or municipality in the state, and wherever in this act the term "county" is used, it shall be held to mean and include a "city and county" as well as a "county"."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1626—An act to validate proceedings had and taken by municipalities under that certain act entitled "An act to amend an act entitled 'An act to provide for the alteration of the boundaries of incorporated towns and cities by the annexation of uninhabited territory thereto, and for the incorporation of such annexed territory in and as a part of such municipality, and for the districting, government and municipal control of annexed territory,' which became a law without the Governor's approval March 2, 1899, by amending section 1 thereof, relating to annexation of uninhabited territory" (approved by the Governor May 23, 1929. In effect August 14, 1929).

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 2, line 6, of the printed bill, strike out "not", and insert in lieu thereof the following: "now".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 651—An act to amend section 11 of chapter 387, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of

the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power," approved June 13, 1913, relating to sale of the title to lands in such water districts of which the district was purchaser at a delinquent tax sale.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 743—An act establishing and validating the organization and existence of irrigation districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 744—An act to amend the California Irrigation District Act by adding thereto a new section to be numbered 48a, relating to clearing the title to land sold to the district for delinquent assessments.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 290—An act to amend section 55 of the California Irrigation District Act, relating to tolls and charges for water.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 333—An act to amend sections 61b and 61c of the California Irrigation District Act, relating to the acquiring of property and the exchange of bonds therefor and the judicial determination of the legality of such bonds.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1131—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section thereto, designated section 15e, relating to the powers of the board of directors.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 287—An act to amend sections 3746 and 3756 of the Political Code, relating to tax collector's notice that taxes are due and fixing date of delinquency.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1087—An act to add to the Penal Code a new section numbered 438, relating to taxation of transportation companies and passenger stage corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1212—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, and as amended June 1, 1923, January 17, 1929, and May 28, 1929, by amending the title and sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19 and 20 thereof, and by repealing sections 17a, 18a, 23, 24 and 25 thereof.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, as amended in the Assembly on March 19, 1931, amend the title of the bill by inserting in line 14 thereof, after the last comma, and before the word "and", the following: "relating to the reservation to the state of all coal, oil, oil shale, gas, phosphate, sodium and other mineral deposits in lands belonging to the state, and providing for the development and production of such minerals under a system of permits and leases authorizing prospecting for, mining and removing such deposits from state lands and providing a procedure for the granting of such permits and leases and the administration and supervision of the prospecting for, mining and removing of such deposits by permits and leases of the state, prohibiting certain practices in connection with such prospecting for, mining and removal, providing penalties therefor, providing for the powers of the chief of the division of state lands relative to said lands and relative to prospecting for, mining and removing of minerals therefrom, and ratifying permits and leases issued prior to March 15, 1931,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, as amended in the Assembly on March 19, 1931, in line 15 of the title, after the word "thereof", and before the period, insert the following: "relating to certain powers and duties of the officers of the state relative to state lands and mineral deposits therein, and prohibiting prospecting for, mining and removing minerals from certain state lands."

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed bill, as amended in the Assembly on March 19, 1931, strike out the word "ratifying", and insert in lieu thereof, "to ratify".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3, line 16, of the printed bill, as amended in the Assembly on March 19, 1931, after the word "lands", insert the following: "therefore declared under the provisions of this act by the chief of the division of state lands to be".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 5, line 28, of the printed bill, as amended in the Assembly on March 19, 1931, after the word "for", insert the word "the".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 5, line 44, of the printed bill, as amended in the Assembly on March 19, 1931, correct the word "tousand", so as to read "thousand".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 34, of the printed bill, as amended in the Assembly on March 19, 1931, after the word "field", insert the following: "as theretofore declared by the chief of the division of state lands under the provisions of this act".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 35, of the printed bill, as amended in the Assembly on March 19, 1931, after the word "not", the second time it occurs in said line, and before the word "within", insert the following: "within the lands contained in any permit or lease theretofore issued nor within any lands for which a valid application for a permit or lease has been made nor".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 36, of the printed bill, as amended in the Assembly on March 19, 1931, strike out the word "thereof", and insert in lieu thereof the word "hereof".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 7, line 9, of the printed bill, as amended in the Assembly on March 19, 1931, strike out the word "may", and insert in lieu thereof, "are required by this act to". Also strike out the word "the", in said line and insert in lieu thereof the word "an".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 8, line 7, of the printed bill, as amended in the Assembly on March 19, 1931, after the word "permittee", insert "or lessee".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 8 of the printed bill, as amended in the Assembly on March 19, 1931, strike out lines 15 to 25, and insert in lieu thereof the following:
"Sec. 12. Nothing herein contained".

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 8, line 34, of the printed bill, as amended in the Assembly on March 19, 1931, after "the", insert the following: "prospecting for".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8, line 36, of the printed bill, as amended in the Assembly on March 19, 1931, strike out the word "and", and insert in lieu thereof the word "or".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 8, line 41, of the printed bill, as amended in the Assembly on March 19, 1931, after the word "or", the second time it occurs in said line, insert the word "in".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 11, line 33, of the printed bill, as amended in the Assembly on March 19, 1931, after the comma and before the word "to", insert the following: "to consent to and to execute amendments of permits or leases so as to make the provisions thereof consistent with the provisions of this act as amended after the issuance of such permits or leases to diminish or increase the area of permits or leases and".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 11 of the printed bill, as amended in the Assembly on March 19, 1931, strike out all that portion of line 37, beginning with the comma after the word "act", all of lines 38 to 49, inclusive, and all of line 50 down to and including the figures "1931".

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 12 of the printed bill, as amended in the Assembly on March 19, 1931, strike out all of lines 14 to 23, inclusive, and insert in lieu thereof: "repealed."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON PUBLIC UTILITIES.

SENATE CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 998—An act to amend section 50 of the Public Utilities Act, relating to passenger stage corporations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CARTER, Chairman.

Assembly Bill No. 998 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 999—An act to amend section 84 of the Public Utilities Act, relating to rules and regulations in the interest and aid of public health, security, safety, convenience and general welfare—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—8; absent—3.

CARTER, Chairman.

Assembly Bill No. 999 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 416—An act to provide for the standardization of cement concrete pipe sold for irrigation purposes—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

CARTER, Chairman.

Senate Bill No. 416 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Assembly Bill No. 1121—An act to amend section 17 of the Public Utilities Act, relating to transportation and rates and charges therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—9; absent—2.

CARTER, Chairman.

Assembly Bill No. 1121 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Utilities, to which was referred Senate Bill No. 577—An act defining the obligations of any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—7; noes—1; absent—3.

CARTER, Chairman.

Senate Bill No. 577 ordered on file for second reading.

RESOLUTION.

The following resolution was offered:

By Committee on Contingent Expenses:

Resolved, That the Controller be and he is hereby ordered and directed to draw his warrant in favor of the Secretary of the Senate in the sum of \$300, the same being for postage for the Senate, and the Treasurer is hereby ordered and directed to pay the same.

INGELS, Chairman.
MALONEY.

Resolution read.

Senator Ingels moved the adoption of the resolution.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Duval, Evans, Hays, Ingels, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Slater, Tubbs, and Waggy—22.

NOES—None.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 874—An act to amend section 2322*36 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 874 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Evans, Hays, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Waggy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 876—An act to amend section 9a36 of the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to librarians in counties of the thirty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 876 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Evans, Harper, Hays, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Wagy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 877—An act to amend section 4265 of the Political Code, relating to compensation of county and township officers in counties of the thirty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 877 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 878—An act to amend section 16336 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-sixth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Moran moved to refer Senate Bill No. 878 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, beginning in line 6 and ending in line 7, strike out the word "superintendents", and insert in lieu thereof the following: "superintendent".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 878, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICH, Committee.

Report read, and on motion of Senator Moran adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 880—An act to amend section 232242 of the Political Code, relating to the office of agricultural commissioner in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 880 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Tubbs, and Wagye—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 881—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Moran moved to refer Senate Bill No. 881 to Senator Rich, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 1, of the printed bill, strike out "4271", and insert in lieu thereof the following: "4273".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 881, with instructions to amend, respectfully reports the same back, amended as per instructions.

RICII, Committee.

Report read, and on motion of Senator Moran adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 882—An act to amend section 19x42 of the Juvenile Court Law, relating to probation officers in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 882 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, and Wagye—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 883—An act to amend section 16x42 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 883 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Tubbs, and Wagye—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 3—An act to amend section 596 of the Penal Code, relating to the poisoning of any animal, the property of another.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Carter moved to refer Senate Bill No. 3 to Senator Evans, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, lines 3 and 4, of the printed bill, strike out "administer", and insert in lieu thereof the following: "administers".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 3, with instructions to amend, respectfully reports the same back, amended as per instructions.

EVANS, Committee.

Report read, and on motion of Senator Carter adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 505—An act to amend section 626c of the Penal Code and to add two new sections to the Penal Code to be numbered 626c $\frac{1}{2}$ and 626c $\frac{3}{4}$, relating to the protection of game.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 505 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Duval, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagye—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 957—An act to repeal chapter 264 of the Statutes of 1905, approved March 18, 1905, as amended, entitled "An act to provide for the regulation of fires on, and the protection and management of, public and private forest lands within the State of California, creating a State Board of Forestry and certain officers subordinate to said board, prescribing the duties of such officers, creating a Forestry Fund, and appropriating the moneys in said fund, and defining and providing

for the punishment of certain offenses for violations of the provisions of this act, and making an appropriation therefor."

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 957 passed by the following vote:

AYES—Senators Allen, Breed, Cassidy, Clock, Deuel, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, and Waggy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1056—An act to amend section 7 of an act entitled "An act regulating the sanitary conditions of bakeries, prescribing conditions connected with the manufacture and sale of bakery products and fixing penalties for violations of the provisions thereof," approved June 2, 1921, relating to the handling and sale of bread.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1056 passed by the following vote:

AYES—Senators Allen, Breed, Bush, Clock, Crittenden, Duval, Evans, Fellom, Harper, Hays, Jones, Maloney, McCormack, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Waggy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At eleven o'clock and thirty-two minutes a.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Monday, April 6, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Monday, April 6, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, April 3, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVES OF ABSENCE.

Senator Allen was, on motion of Senator Rich, granted leave of absence for this day.

Senator Baker was, on motion of Senator Slater, granted leave of absence for this day.

Senator Inman was, on motion of Senator Jones, granted leave of absence for this day.

Senator Hays was, on motion of Senator Evans, granted leave of absence for this day.

Senator Edwards was, on motion of Senator Evans, granted leave of absence for this day.

Senator Nelson was, on motion of Senator Breed, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Maloney, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Leo Lennon of the city attorney's office in San Francisco.

On request of Senator Cassidy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. A. McDougal of Sierra City, California.

On request of Senator Clock, the privilege of the floor of the Senate Chamber for this day was unanimously extended to W. J. Brunton of Long Beach, California.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1455—An act to amend section 3651 of the Political Code, relating to the assessment roll;

Also: Assembly Bill No. 562—An act to amend section 710 of the Code of Civil Procedure, relating to the collection of moneys due from a judgment debtor;

Also: Assembly Bill No. 767—An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected, defective, and diseased apples, providing for its enforcement and fixing penalties for its violation.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1455 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 562 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 767 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1124—An act to amend sections 6, 8, 9 and 10 of chapter 612 of the Statutes of 1911, entitled "An act relating to lakes and streams, the waters of which contain minerals in commercial quantities; withdrawing State lands within the meander lines thereof from sale; prescribing conditions for taking such minerals from said waters and lands, and providing for the leasing of lands uncovered by the recession of the waters of such lakes and streams," approved April 27, 1911;

Also: Assembly Bill No. 1871—An act to amend section 2 of the Water Conservation Act of 1927, relating to the powers of water conservation districts;

Also: Assembly Bill No. 291—An act to amend the California Irrigation District Act by adding a new section thereto, to be numbered section 55a, relating to rates and charges for water;

Also: Assembly Bill No. 1891—An act creating a game refuge and fowl sanctuary to be known as the San Leandro Bay Game Refuge and Sanctuary, providing for the conservation and protection of all birds within such district, and providing penalties for violation of the act;

Also: Assembly Bill No. 708—An act to amend section 365f of the Political Code, relating to the acquisition of city streets as a part of State highways;

Also: Assembly Bill No. 332—An act to amend section 647 of the Penal Code, relating to vagrants;

Also: Assembly Bill No. 1453—An act to amend section 3728 of the Political Code, relating to statistical statements of assessments.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1124 read first time, and referred to Committee on Mines and Mining.

Assembly Bill No. 1871 read first time, and referred to Committee on Conservation.

Assembly Bill No. 291 read first time, and referred to Committee on Irrigation.

Assembly Bill No. 1891 read first time, and referred to Committee on Fish and Game.

Assembly Bill No. 708 read first time, and referred to Committee on Roads and Highways.

Assembly Bill No. 332 read first time, and referred to Committee on Revision of Criminal Law and Procedure.

Assembly Bill No. 1453 read first time, and referred to Committee on Revenue and Taxation.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Joint Resolution No. 15—Relating to an immediate survey of forest insect conditions and for the control of forest insects.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Senate Joint Resolution No. 15 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day respectfully refused to recede from its amendments to Senate Bill No. 317—An act to amend section 14 and section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," as amended, relating to bridge and highway districts; and declaring this act to be an urgency measure—and appointed Assemblymen Reindollar, Seudder and Biggar as a Committee on Free Conference to meet a like Committee from the Senate.

ARTHUR A. OHNIMUS, Chief Clerk.

By C. W. BOOTH, Assistant Clerk.

APPOINTMENT OF COMMITTEE ON FREE CONFERENCE.

The President announced the appointment of Senators Slater, Tubbs and Riley as a Committee on Free Conference, to meet with a like committee from the Assembly, to consider Assembly amendments to Senate Bill No. 317.

REPORTS OF STANDING COMMITTEES.

The following reports of standings committees were received and read :

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to the congressional districts;

Also: Senate Bill No. 187—An act to fix the fees to be paid to referees, appraisers or commissioners appointed by the court in condemnation proceedings;

Also: Senate Bill No. 227—An act to amend section 1188 of the Political Code, relating to independent nominations;

Also: Senate Bill No. 288—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund;

Also: Senate Bill No. 342—An act to amend sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of adverse claims to real property, issuance and publication of summons, and the entry of judgment therein;

Also: Senate Bill No. 343—An act to add a new section to be known as section 751a of the Code of Civil Procedure, relating to a person who has received or taken title to real property in a certain name and thereafter disposes of it in a different name than the name in which it was received;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 492—An act to amend the title and sections 3, 6, 8, 15, 16 and 18 of, and to add a new section to be numbered 20a to, an act entitled "An act to protect the natural resources of petroleum and gas from waste and destruction; relating to the creating of a Division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended;

Also: Senate Bill No. 538—An act to add a new section to be numbered 15a, to chapter 189, Statutes of 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, to be numbered 15a, relating to the expenditure of money by the board of directors to advertise the electrical business of the irrigation district;

Also: Senate Bill No. 702—An act to repeal chapter 353, Statutes of 1913, entitled "An act to define investment companies, investment brokers, and agents; to provide for the regulation, supervision and licensing thereof; to provide penalties for the violation thereof; to create the office of Commissioner of Corporations, and making an appropriation therefor," approved May 28, 1913;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 810—An act to amend section 365f of the Political Code, relating to the power of the California Highway Commission to acquire lands for highway and other purposes and to construct and maintain State highways and other improvements incident thereto;

Also: Senate Bill No. 932—An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit within which existing corporations shall maintain required minimum membership;

Also: Senate Bill No. 934—An act to amend sections 4, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 25, 26, 27 and 29 of "An act to provide for the formation, government, operation, reorganization, dissolution and alteration of boundaries of sanitary dis-

tricts in any part of the State, for the construction of sewers, septic tanks, and other sanitary disposal of sewerage matter; the acquisition of property thereby, the calling and conducting of elections in such districts; the assessment, levying, collection, custody, and disbursement of taxes therein; the issuance, disposal and retirement of the bonds thereof, and the determination of their validity and making provision for the payment of such bonds, and the disposal of their proceeds," approved May 25, 1919, relating to sanitary districts;

Also: Senate Concurrent Resolution No. 10—Relative to the orderly addition of new roads to the State highway system, after engineering and economic studies by the California Highway Commission and the Department of Public Works; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 3—An act to amend section 596 of the Penal Code, relating to the poisoning of any animal, the property of another;

Also: Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation district bonds now or hereafter issued or outstanding;

Also: Senate Bill No. 878—An act to amend section 16r38 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-eighth class;

Also: Senate Bill No. 881—An act to amend section 4273 of the Political Code, relating to compensation of county and township officers in counties of the forty-fourth class;

And reports that the same have been correctly re-engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 58—An act to amend section 1 of chapter 316, Statutes of 1927, entitled "An act to regulate the method of nominating, voting for and electing candidates for judicial offices at primary and general elections by giving each office a designating number for the purpose of elections where two or more judges or justices of any court of record are to be elected for the same term at the same election," approved May 2, 1927, to include justice of the peace court and all other inferior courts now existing or which may hereafter be provided by law;

Also: Senate Bill No. 407—An act to add section to be numbered section 693 to the Political Code, relating to the preparation and publication of notices, publications and advertisements by state officers, boards, commissions, bureaus and departments, and to repeal "An act relating to the advertising and publication of notices, publications and advertisements by state officers, boards, commissions, bureaus and departments, directing that all notices, advertisements and publications when prepared be delivered to the State Board of Control and vesting in the State Board of Control the exclusive charge, control, supervision, direction, designation, management and regulation of the giving, advertising, noticing and publication of all advertisements, publications and notices to be inserted in newspapers or other mediums, revoking all such authority heretofore given to any State officer, board, commission, bureau or department, and repealing all acts and parts of acts in conflict herewith," approved December 18, 1911;

Also: Senate Bill No. 444—An act to amend sections 2 and 10 of chapter 16, Statutes of 1923, entitled "An act to authorize and control the deposits in banks of moneys belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, relating to the deposit of money belonging to or in the custody of the State;

And reports that the same have been correctly enrolled and presented to the Governor on the fourth day of April, at ten o'clock and thirty minutes a.m.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 445—An act to amend sections 2 and 3 of chapter 301, Statutes of 1913, entitled "An act providing for the designation of money in the State treasury as surplus money, authorizing the investment and reinvestment of such money in certain classes of bonds, directing the disposal of interest or premium received therefrom and permitting the subsequent sale or exchange of the bonds so purchased," approved June 10, 1913, as amended, relating to surplus money in the State treasury;

Also: Senate Bill No. 646—An act to transfer all property which was acquired in any manner for the use of the California Industrial Farm for Women to the Sonoma State Home;

Also: Senate Bill No. 685—An act authorizing the Department of Finance to sell all of the right, title and interest of the State of California in and to certain real property situate in the county of San Joaquin, State of California;

And reports that the same have been correctly enrolled and presented to the Governor on the fourth day of April, at ten o'clock and thirty minutes a.m.

RILEY, Chairman.

ON COUNTY GOVERNMENT.

SENATE CHAMBER, SACRAMENTO, April 3, 1931.

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 268—An act to amend section 2322.32 of the Political Code, relating to the salary and compensation of the agricultural commissioner in counties of the thirty-second class;

Also: Assembly Bill No. 377—An act to amend section 2322.19 of the Political Code, relating to the salaries of the county agricultural commissioners, deputies and inspectors in counties of the nineteenth class;

Also: Assembly Bill No. 1812—An act to amend section 19.19 of the Juvenile Court Law, relating to probation officers in counties of the nineteenth class;

Also: Assembly Bill No. 1754—An act to amend section 16.19 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the nineteenth class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Assembly Bills Nos. 268, 377, 1812 and 1754 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 1555—An act to amend section 2322.34 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-fourth class;

Also: Assembly Bill No. 1556—An act to amend sections 18 and 19.34 of the Juvenile Court Law, relating to probation officers;

Also: Assembly Bill No. 1557—An act to amend the Political Code by repealing section 4263 thereof and by adding sections 4263, 4263a, 4263b, 4263c, 4263d, 4263e, 4263f, 4263g, 4263h, 4263i, 4263j, 4263k, 4263l, 4263m, 4263n, 4263o, 4263p, 4263q, 4263r, 4263s, relating to compensation of county and township officers in counties of the thirty-fourth class;

Also: Assembly Bill No. 1558—An act to amend section 16.34 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-fourth class;

Also: Assembly Bill No. 1559—An act to amend section 19.32 of the Juvenile Court Law, relating to probation officers in counties of the thirty-second class;

Also: Assembly Bill No. 1561—An act to amend section 19.32 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-second class;

Also: Assembly Bill No. 1562—An act to amend section 4261 and to repeal section 4261a of the Political Code, relating to compensation of county and township officers in counties of the thirty-second class;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Assembly Bills Nos. 1555, 1556, 1557, 1558, 1559, 1561 and 1562 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 57—An act to amend section 4255, to repeal sections 4255a and 4255b, and to add section 4255a to the Political Code, relating to the salaries and fees of county officers in counties of the twenty-sixth class;

Also: Assembly Bill No. 374—An act to amend section 4248, and to repeal section 4245a of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the nineteenth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Assembly Bills Nos. 57 and 374 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Assembly Bill No. 598—An act to amend section 2322c of the Political Code, relating to county horticultural commissioners—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Agriculture.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Assembly Bill No. 598 ordered re-referred to Committee on Agriculture and Live Stock.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 933—An act to amend section 4041.21 of the Political Code, relating to the powers of boards of supervisors—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Senate Bill No. 933 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 575—An act to amend sections 2, 4 and 5 of an act entitled "An act to create the office of Public Defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the compensation of Public Defender;

Also: Senate Bill No. 75—An act to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled, "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder;

Also: Senate Bill No. 711—An act to amend section 2322a8 of the Political Code, relating to the office of agricultural commissioner in counties of the eighth class;

Also: Senate Bill No. 712—An act to add section 19a8 to the Juvenile Court Law, relating to probation officers in counties of the eighth class;

Also: Assembly Bill No. 710—An act to amend section 16a8 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eighth class;

Also: Senate Bill No. 708—An act to add a new section to be numbered 9a8 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act," approved February 25, 1911, as amended, relating to libraries in counties of the eighth class;

Also: Senate Bill No. 709—An act to amend section 4237 of the Political Code, relating to compensation of county and township officers in counties of the eighth class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Senate Bills Nos. 575, 75, 711, 712, 710, 708 and 709 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on County Government, to which was referred Senate Bill No. 737—An act to amend section 2322a24 of the Political Code, relating to the office of agricultural commissioner in counties of the nineteenth class;

Also: Senate Bill No. 739—An act to amend section 16a24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the nineteenth class;

Also: Senate Bill No. 740—An act to amend section 4248 of the Political Code, relating to compensation of county and township officers in counties of the twenty-fourth class; and to repeal section 9a19 of chapter 68, Statutes of 1911, entitled "An act to provide for the establishment and maintenance of county free libraries

in the State of California, and repealing 'An act entitled "An act to provide county library systems," approved April 12, 1909, and all acts and parts of acts in conflict with this act.'";

Also: Senate Bill No. 268—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class;

Also: Senate Bill No. 267—An act to amend section 19.11 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the eleventh class;

Also: Senate Bill No. 780—An act to amend section 2322.11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class;

Also: Senate Bill No. 781—An act to amend section 16.11 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eleventh class;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—9; committee vote: Ayes—5; absent—4.

WAGY, Chairman.

Senate Bills Nos. 737, 739, 740, 268, 267, 780 and 781 ordered on file for second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Harper: Senate Concurrent Resolution No. 29—Approving an amendment to the charter of the city of San Diego, a municipal corporation in the county of San Diego, State of California, voted for and ratified by the electors of said city of San Diego at a special municipal election held therein on the twenty-fourth day of March, 1931.

Referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 449—An act to amend sections 6.470, 6.470-1, 6.470-2, 6.472, 6.473, 6.476 and 6.477 of the School Code, relating to the purchase of standard school supplies by the county superintendent of schools.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 465—An act to amend section 2.801 of the School Code, relating to the liability of boards of school trustees, and to add a new section to the School Code, to be numbered section 2.990, providing for insurance by school districts.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 840—An act to amend section 4 of chapter 277 of the Statutes of 1907, entitled "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 831—An act to amend sections 4.360, 4.361, 4.362, 4.365, 4.366, 4.372 of the School Code, and to add thereto new sections to be numbered 4.374, 4.375 and 4.376; to repeal chapter IV, embracing

sections 4.460 to 4.501, both inclusive, chapter V, embracing sections 4.510 to 4.520, both inclusive, chapter VI, embracing sections 4.530 to 4.582, both inclusive, chapter VII, embracing sections 4.590 to 4.626, both inclusive, of part III of division IV of the School Code; to repeal chapter 397 of the Statutes of 1929, entitled "An act relating to maximum rates of tax for school district purposes," approved May 22, 1929.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 2 of the title of the printed bill, after the figure "4.372", insert the following: "and 4.440".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, after the semicolon, insert the following: "to repeal section 4.441 and sections 4.450 to 4.455, both inclusive, of the School Code;"

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 44, of the printed bill, strike out the period and insert in lieu thereof the following: "except that when any elementary school district maintains one or more kindergartens the maximum rate of tax which may be levied for purposes other than building purposes shall be forty-five cents."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 2, line 45, of the printed bill, strike out the period, and insert in lieu thereof a comma, and the following: "the proceeds of which may be used in the discretion of the governing board of the high school district for building or other purposes."

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 2, line 46, of the printed bill, strike out the period, and insert in lieu thereof a comma, and the following: "the proceeds of which may be used in the discretion of the governing board of the junior college district for building or other purposes."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 2, line 49, of the printed bill, strike out the word "The", and insert in lieu thereof the following: "Any".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 2, line 49, of the printed bill, strike out the word "rates", and insert in lieu thereof the following: "rate".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 2, line 52, of the printed bill, after the word "election", insert the following: "which may be".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 3, line 1, of the printed bill, after the word "district", insert the following: "of its own motion, and must be called whenever a petition requesting that such an election be called and signed by ten per cent of the qualified electors of the district shall be presented to the said governing board".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 3, line 32, of the printed bill, strike out the number "387", and insert in lieu thereof the figure "397".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 3, line 34, of the printed bill, after said line 34, insert the following: "SEC. 16. Section 4440 of the School Code is hereby amended to read as follows: 4440. The governing board of every school district in which a kindergarten is maintained under the provisions of this code, must include in the budget required to be submitted to the county superintendent of schools an estimate of the amount of money which will be required for kindergarten maintenance for the ensuing school year."

SEC. 17. Section 4441 and sections 4450 to 4455, both inclusive, of the School Code are hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 137—An act to amend section 157 of the Code of Civil Procedure, relating to the qualifications of superior judges.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, strike out "or appointment,".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 233—An act to amend sections 3 and 5 of chapter 753, Statutes of 1927, entitled "An act to establish the California State Historical Association, relative to providing for the appointment of a board of trustees for said association and making an appropriation for its support during the seventy-ninth and eightieth fiscal years," approved May 25, 1927.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 20, of the printed bill, strike out the period, and insert in lieu thereof a comma and the following: "with the approval of the department of finance".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 732—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 11 and 12 of chapter 701, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the Registrar of Contractors and proceedings for revocation of licenses.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 36, of the printed bill, following the word "nature", insert a semicolon.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 20, of the printed bill, after the bracket following the word "created", insert ", a deputy registrar of contractors, secretary, stenographer and investigators,".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 6, line 26, of the printed bill, change the word "attorney", to read "attorneys".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 8, line 49, of the printed bill, following the words "Sec. 12", restore all of the remainder of said line 49.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 8, line 12, of the printed bill, change the word "condition", to read "conditioned."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 8, line 25, of the printed bill, strike out the word "examiners", and substitute in lieu thereof the word "investigators."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 728—An act to add a new section to the Political Code, to be numbered 440, relating to the issuance of warrants and the duties and obligations of the Controller and other persons in relation thereto.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 729—An act to amend section 24 of chapter 586 of the Statutes of 1913, known as the Water Commission Act, approved June 16, 1913, as amended, relating to references to the State Water Commission, as referee.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 742—An act to amend chapter 586, Statutes of 1913, known as the Water Commission Act, approved June 16, 1913, as amended, by amending sections 37, 37a, 37c and 37f thereof and by adding thereto two new sections to be numbered 37g and 37h, all relating to the distribution of water in accordance with the rights thereto as determined by court decree or written agreement.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 751—An act to create a fund to be known as the State Highway General Fund and providing for expenditures therefrom.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 416—An act to provide for the standardization of cement-concrete pipe sold for irrigation purposes.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 577—An act defining the obligations of any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, re-macadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 42, of the printed bill, as amended in the Senate on March 27, 1931, strike out all after the word "tracks", down to and including line 48.

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 13, of the printed bill, as amended in the Senate on March 27, 1931, strike out the period, and insert a semicolon and the following: "*and provided further, however, that in any such franchise or permit hereafter granted to any such person, company, association or corporation, the grantor thereof may require the grantee thereof to pave, repave, macadamize, re-macadamize or otherwise improve such street or highway between the rails of its track or tracks and for a distance of two feet on each side thereof, or any less portion of such street or highway.*"

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 923—An act to amend sections 633 and 633a, and to add sections 633a1, 633a2, 633a3, 633a4, 633a5, 633a6, 633a7, 633a8, 633a9, 633a10, 633a11, 633a12, 633a13, 633a14, 633a15, 633a16, 633a17, 633a18, 633a19, 633a20, 633a21, 633a22, 633a23, 633a24, 633a25, 633a26, 633a27, 633a28, 633a29, 633a30, 633a31, 633a32, 633a33, 633a34, and 633a35 to the Political Code, relating to the qualification and licensing of insurance agents, brokers, and solicitors, and making an appropriation for the support of the Board of Insurance Qualification.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 6 of the title of the printed bill, insert "and", before "633a31", and strike out the "comma", following "633a31,"; also strike out "633a32, 633a33, 633a34, and 633a35, and 633a35."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 8, line 29, of the printed bill, strike out, beginning with the words and figures "Sec. 28.", to and including "purposes.", on page 9, line 39, being all of sections 28, 29, 30 and 31.

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 9, line 40, of the printed bill, strike out "Sec. 32.", and add in lieu thereof "Sec. 28."; also strike out "633a30", and add in lieu thereof "633a26"; also in line 42, strike out "633a30"; and add in lieu thereof "633a26"; also strike out entire paragraph beginning "It", in same line, to and including "be.", on page 10, line 7, and insert in lieu thereof the following: "It shall be the duty of the insurance commissioner at least twice a year, to, conduct or arrange for a written examination, to be given by himself or such person or persons as he may designate for such purpose upon questions prepared by said commissioner, as to the qualifications of applicants or members or officers of applicants to act as insurance agent, broker or solicitor, as the case may be. The examinations must be of sufficient scope to satisfy said commissioner that the applicants have sufficient knowledge of and are reasonably familiar with the insurance laws of the state and with the provisions, terms, and conditions of the policies or contracts that they propose to solicit, negotiate or effect, and have a general and fair understanding of the obligations and duties of an insurance agent, broker or solicitor, as the case may be."

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 10 of the printed bill, strike out, beginning with "Sec. 33.", in line 8 thereof, and ending with "examinations.", in line 12 thereof, being all of sections 33 and 34.

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 10, line 13, of the printed bill, after word "Sec.", strike out "34.", and add in lieu thereof "29."; also strike out therein "633a32", and add in lieu thereof "633a27"; also, in line 15, strike out "633a32.", and add in lieu thereof "633a27."; also strike out entire paragraph beginning with word "After", in line 15, and ending with word "terminate.", in line 33, and add in lieu thereof the following: "No license to act as an insurance agent, broker, or solicitor may be issued to any person required by this code to pass an examination until such examination has been passed, but the insurance commissioner may issue to an applicant a certificate of convenience, not exceeding a period of six months, permitting such applicant to so act, pending fulfillment of the examination requirements. Failure on the part of the applicant to take the examination within thirty days after being notified by the insurance commissioner of his readiness to hold the examination shall be deemed a failure on the part of the applicant to fulfill the examination requirements and all privileges under any certificate of convenience shall thereupon terminate."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 10, line 34, of the printed bill, strike out "Sec. 35.", and add in lieu thereof "Sec. 30."; also strike out "633a33", and add in lieu thereof "633a28"; also in line 36, strike out "633a33.", and add in lieu thereof "633a28."; also in line 37, strike out "633a34", and add in lieu thereof "633a28".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 10, line 42, of the printed bill, strike out "Sec. 36.", and add in lieu thereof "Sec. 31."; also strike out "633a34", and add in lieu thereof "633a29"; also in line 44, strike out "633a34", and add in lieu thereof "633a29"; also in same line, strike out "633a35", and insert in lieu thereof "633a30".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 10, line 47, of the printed bill, after the word "associations", insert therein "and mortgage insurance companies".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 10, line 51, of the printed bill, after "transact", insert "life insurance or".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 11, line 6, of the printed bill, strike out "Sec. 37.", and add in lieu thereof "Sec. 32."; also strike out "633a35", and add in lieu thereof "633a30"; also in line 8, strike out "633a35", and add in lieu thereof "633a30".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 11, line 16, of the printed bill, strike out "Sec. 38.", and add in lieu thereof "Sec. 33."; also strike out "633a36", and add in lieu thereof "633a31"; also in line 18, strike out "633a36", where it first appears and insert in lieu thereof "633a31"; also strike out in same line "633a36", where it secondly appears, and insert in lieu thereof "633a31".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 11, line 21, of the printed bill, after the word "act.", add the following paragraph:

"Sec. 34. Any individual, copartnership, association or corporation who or which shall have obtained an insurance agent's or insurance broker's license from the insurance commissioner prior to the effective date of this act for the license period expiring June 30, 1932, shall not be required to obtain another agent's or broker's license, as the case may be, prior to the expiration of such license."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 11, line 22, of the printed bill, strike out "Sec. 39.", and insert in lieu thereof "Sec. 35.".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 126—An act authorizing certain improvements upon the grounds of the California Schools for the Deaf and Blind at Berkeley, California.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1035—An act to amend section 5.742 of the School Code, relating to the payment of teachers.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 549—An act to amend section 363j of the Political Code, relating to the Department of Public Works.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 551—An act to amend section 2176 of the Political Code, relating to the Department of Institutions.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 644—An act to amend section 13 of chapter 248, Statutes of 1929, entitled "An act to establish an institution for the confinement, care and reformation of women and misdemeanants, and women convicted of a felony the punishment for which is less than death; and to provide for its maintenance, conduct and government, and to make an appropriation therefor," approved May 9, 1929.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1735—An act authorizing and empowering the Director of Finance to convey real property belonging to the State of California to the San Francisco Neighborhood Association, a corporation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 998—An act to amend section 50½ of the Public Utilities Act, relating to passenger stage corporations.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1121—An act to amend section 17 of the Public Utilities Act, relating to transportation and rates and charges therefor.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 999—An act to amend section 84 of the Public Utilities Act, relating to rules and regulations in the interest and aid of public health, security, safety, convenience and general welfare.

Bill read second time, and ordered on file for third reading.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: Your Committee on Rules to which was referred the request of Senator Deuel to introduce a bill entitled: An act to amend section 5.812 of the School Code, relating to the retirement of teachers—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Also:

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Swing to introduce a bill entitled: An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—4; absent—1.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced:

By Senator Deuel: Senate Bill No. 941—An act to amend section 5.812 of the School Code, relating to the retirement of teachers.

Bill read first time, and referred to Committee on Education.

By Senator Swing: Senate Bill No. 942—An act relating to citrus fruit fairs and expositions and providing that such fairs and expositions shall be entitled to receive and participate in the benefits and aid provided for agricultural fairs in and by the act entitled "An act to form agricultural districts, to provide for the formation, organization and powers, of agricultural associations therein and for the management and control of the same by the State, and repealing all acts and portions of acts in conflict with this act," approved April 17, 1909.

Bill read first time, and referred to Committee on Finance.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 420—An act to add a new section to the School Code, to be numbered 2.1504, providing for the payment of expenses incurred in holding conventions of county, city and district superintendents.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 420 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 733—An act to amend section 3480a of the Political Code, providing a method of refunding reclamation districts bonds now or hereafter issued or outstanding.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 733 passed by the following vote:

AYES—Senators Breed, Carter, Christian, Cleveland, Clock, Deuel, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Schottky, Slater, Swing, Treacy, Tubbs, and Waggy—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 10.

Relative to the orderly addition of new roads to the State highway system, after engineering and economic studies by the California Highway Commission and the Department of Public Works.

WHEREAS, It appears that some highways not now in the State highway system are carrying a volume of State traffic that far exceeds the local traffic carried on said roads, thus placing upon the counties in which these roads are located an undue and heavy maintenance burden; and

WHEREAS, A preliminary investigation by the California Highway Commission and Department of Public Works indicates that there is at the present time a decidedly greater mileage of such roads in the south, as compared with those in the north, carrying this excessive State traffic; and

WHEREAS, An executive message was transmitted to the Legislature under date of March 12, 1929, in which was suggested certain underlying principles to be observed in the inclusion of new secondary roads within the State highway system; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That the principles enunciated in said executive message be observed in the inclusion of new roads within the State highway system, and that the California Highway Commission and the Department of Public Works be, and they are hereby directed to observe the following principles in the inclusion of new roads within the State highway system:

1. Additions may during the next two years be made to the secondary State highway system totaling not more than 15 per cent of the existing secondary State highway mileage as now constituted under chapter 794, Statutes of 1927, approved May 26, 1927 (State Highway Classification Act), said mileage to be added in the ratio of not less than three nor more than four miles in the south to one mile in the north.

2. For budgetary purposes, this mileage shall be included as a part of the State highway system by the California Highway Commission when the necessary surveys are completed; *provided, however*, that no money be expended on same until they have been finally included in the system by legislative act.

3. There shall be no change in the present statutory division of secondary highway funds; and, be it further

Resolved. That the California Highway Commission and the Department of Public Works be and they are hereby directed to make a careful study of the State highway system to ascertain and determine routes not now in the system which, either by reason of the large volume of State traffic that they are now carrying, or by reason of the relief that they would afford to heavy traffic upon present State highways, or as highways serving as important interstate links, might properly be included and added to the State highway system; and, be it further

Resolved. That this study shall, in accordance with the above mentioned executive message, include an investigation into the engineering, economic and traffic facts involved in the matter; that a comprehensive report shall be made to the fiftieth Legislature embodying such recommendations as the investigation may disclose as proper and a recital of such facts as may have been taken into account; that this investigation shall begin not later than May 1, 1931, and that this report shall be completed and made public not later than August 1, 1932, and that pending the adoption of such report authority be hereby given to the California Highway Commission to take into consideration for its next budget such roads as it is thus designating and bringing to the attention of the Legislature at its next session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 10 adopted by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Deuel, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Waggy, and Williams—27.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 10 ordered transmitted to the Assembly.

SENATE CONCURRENT RESOLUTION No. 18.

Relative to highway extension for the purpose of developing agricultural and natural resources.

WHEREAS, The roads and highways of the State serve not only the present traffic needs but develop also the natural resources of the State by making these resources better known and more accessible and accord a distinct aid and benefit to agriculture by bringing the farm closer to market; and

WHEREAS, The development of such resources and the improvement of such marketing facilities will amply justify expenditures for highway extension for such purposes; now, therefore, be it

Resolved by the Senate, the Assembly concurring. That the California Highway Commission and the State Department of Public Works are hereby requested and urged, when planning, constructing or improving the State highway system, to give

due consideration and regard to the development of the natural resources of the State and the improvement of agricultural marketing facilities, as well as to traffic needs.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Senate Concurrent Resolution No. 18 adopted by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clook, Deuel, Duval, Evans, Fellen, Harper, Ingels, Jones, Mahoney, McCormack, McKinley, Mixer, Moran, Rabin, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treney, Tubbs, and Williams—28.

NOES—None.

Title read and approved.

Senate Concurrent Resolution No. 18 ordered transmitted to the Assembly.

Senate Bill No. 288—An act to amend section 159 of the California Vehicle Act, relating to the Motor Vehicle Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 288 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Clook, Crittenden, Deuel, Duval, Evans, Fellen, Harper, Jones, Mahoney, McCormack, Mixer, Moran, Rabin, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treney, Tubbs, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 3—An act to amend section 596 of the Penal Code, relating to the poisoning of any animal, the property of another.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 3 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Clook, Crittenden, Deuel, Duval, Evans, Fellen, Harper, Jones, Mahoney, McCormack, Mixer, Moran, Pedrotti, Rabin, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treney, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 935—An act granting to the City and County of San Francisco lands known as "C Channel" or "C Channel street," southwesterly from the northeasterly line of Seventh street in said city and county, and authorizing said City and County of San Francisco to dispose of portions of said street, or otherwise deal with or improve said portion of said street as said city and county may deem proper; and repealing all acts in conflict therewith.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 935 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 187—An act to fix the fees to be paid to referees, appraisers or commissioners appointed by the court in condemnation proceedings.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 187 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 810—An act to amend section 365f of the Political Code, relating to the power of the California Highway Commission to acquire lands for highway and other purposes and to construct and maintain State highways and other improvements incident thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 810 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Duval, Evans, Fellom, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—27.

NOES—Crittenden, and Ingels—2.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 878—An act to amend section 16x36 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-sixth class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 878 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Evans, Fellom, Ingels, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 881—An act to amend section 4271 of the Political Code, relating to compensation of county and township officers in counties of the forty-second class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 881 passed by the following vote:

AYES—Senators Breed, Carter, Cassidy, Cleveland, Clock, Crittenden, Duval, Duval, Evans, Fellom, Harper, Ingels, Jones, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 932—An act to amend section 452c of the Civil Code, relating to mutual benefit and life associations, minimum membership thereof, time in which such membership shall be obtained, notification of commissioner in event membership falls below minimum, disposition of association in event of failure to obtain membership within required time limit, and time limit within which existing corporations shall maintain required minimum membership.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 932 passed by the following vote:

AYES—Senators Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Duval, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read, out of the regular order:

ON OIL INDUSTRIES.

SENATE CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: Your Committee on Oil Industries, to which was referred Assembly Bill No. 513—An act to prevent fraud or misrepresentation in the distribution and sale of gasoline or other motor fuel, distillate, kerosene and lubricating oil; regulating the distribution and sale of such products; defining the powers and duties in relation thereto of the Division of Weights and Measures of the Department of Agriculture, and persons authorized by it, sealers of weights and measures, and their deputies, and other officers; defining "gasoline" and prescribing specifications for products sold or offered for sale as "gasoline"; prescribing penalties for the violation of provisions hereof; repealing acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be referred to this committee.

Committee membership—8; committee vote: Ayes—7; absent—1.

(Signed out)

SHARKEY, Chairman.
CLOCK.
DUVAL.
HARPER.
MALONEY.
MORAN.
WAGY.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Oil Industries, the following amendments to Assembly Bill No. 513 were read and adopted:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, as amended, after the word "gasoline", insert the words "and second grade motor fuel".

AMENDMENT NUMBER TWO.

In line 11 of the title of the printed bill, as amended, after the word "hereof", strike out the semicolon, and insert in lieu thereof the word "and".

AMENDMENT NUMBER THREE.

On page 9, line 32, of the printed bill, as amended, strike out the words "for the purpose of sale", and insert in lieu thereof the words "where petroleum products are stored or kept for sale".

AMENDMENT NUMBER FOUR.

On page 9, line 35, of the printed bill, as amended, insert a new section as follows: "Sec. 3. Any liquid petroleum product, which may be used as a fuel for internal combustion engines, which does not conform to the requirements of the liquid petroleum product defined herein as "gasoline" is hereby defined as "second grade motor fuel", and for the purpose of this act, the trade name thereof shall be "Second grade motor fuel".

AMENDMENT NUMBER FIVE.

On page 9, line 35, of the printed bill, as amended, after the word "Sec.", strike out the figure "3", and insert in lieu thereof the figure "4".

AMENDMENT NUMBER SIX.

On page 9, line 40, of the printed bill, as amended, after the comma following the word "defined", insert the following: "second grade fuel as hereinbefore in section 3 of this act defined".

AMENDMENT NUMBER SEVEN.

On page 9, line 46, of the printed bill, as amended, after the word "gasoline", insert a comma and the words "second grade motor fuel".

AMENDMENT NUMBER EIGHT.

On page 9, line 49, of the printed bill, as amended, after the word "gasoline", insert "second grade motor fuel".

AMENDMENT NUMBER NINE.

On page 9, line 50, of the printed bill, as amended, strike out all of line 50, after the word "together", and all of lines 51 and 52, and on page 10, strike out lines 1 to 5, inclusive, and insert the following: "with the brand, trade-mark, trade name or name of the refiner, manufacturer or producer, who delivers directly or causes or permits such products to be delivered through agents or brokers, into the container, receptacle, pump or inlet end of the fill-pipe of each underground storage tank from which or into which such gasoline, second grade motor fuel, or lubricating or motor oil is drawn or poured out for sale or delivery. A broker within the meaning hereof shall mean every person, firm, association or corporation who shall be engaged in the business of dealing in such products or any of them as a broker, jobber or wholesale merchant, other than a refiner, manufacturer or producer. A delivery is deemed to have been caused or permitted by a refiner, manufacturer or producer, where the product is sold or entrusted by such refiner, manufacturer or producer to an agent or broker, other than another refiner, manufacturer or producer, who thereafter makes such delivery or causes same to be made.

Provided, that when the words "second grade motor fuel" are placed upon a pump they shall be arranged in two lines, one above the other, the words "second grade" appearing in one line and the words "motor fuel" in the other, and there shall be added thereto the words "not gasoline" in red letters not less than three inches in height, on a white background; and

Provided, that any sign or label in this section referred to, when attached to the inlet end of the fill-pipe of an underground storage tank, shall consist of a tag or plate firmly attached or affixed to such fill-pipe, at said end, so as to be plainly visible when filling same, but the letters thereon may be of any convenient size; and".

AMENDMENT NUMBER TEN.

On page 10 of the printed bill, as amended, strike out lines 11 to 22, inclusive.

AMENDMENT NUMBER ELEVEN.

On page 10 of the printed bill, as amended, strike out lines 23 to 46, inclusive, and insert in lieu thereof a new section to read as follows:

"Sec. 5. It shall be unlawful for any person, firm, association or corporation, or any member, officer, agent or employee thereof, to transport in any tank wagon or tank-truck or trailer, for the purpose of sale, or for delivery to any place where

petroleum products are kept or stored for sale, any of the products referred to in section 4 of this act, unless there shall be firmly attached to or affixed at each outlet faucet or valve of each such tank-wagon, tank-truck and trailer, a metal tag, plate or label on which is displayed, in letters not less than one-half (1/2) inch in height, the name of the particular product in the tank compartment of the tank-wagon, tank-truck or trailer with which such valve or faucet is connected, and the brand, trade-mark or trade name of such product. If said product is second grade motor fuel there shall also be displayed on the corresponding tag, plate or label the words "not gasoline", in letters not less than one-half (1/2) inch in height."

AMENDMENT NUMBER TWELVE.

On page 10, line 47, of the printed bill, as amended, after the word "Sec.", strike out the figure "5", and insert the figure "6".

AMENDMENT NUMBER THIRTEEN.

On page 10, line 49, of the printed bill, as amended, after the word "provisions", strike out the word "either".

AMENDMENT NUMBER FOURTEEN.

On page 10, line 50, of the printed bill, as amended, strike out the words "Section 3 or".

AMENDMENT NUMBER FIFTEEN.

On page 11, line 6, of the printed bill, as amended, after the word "Sec.", strike out the figure "6", and insert in lieu thereof the figure "7".

AMENDMENT NUMBER SIXTEEN.

On page 11, line 11, of the printed bill, as amended, strike out the words "sections 3 and", and insert in lieu thereof the word "section".

AMENDMENT NUMBER SEVENTEEN.

On page 11, line 13, of the printed bill, as amended, after "Sec.", strike out the figure "7", and substitute the figure "8".

AMENDMENT NUMBER EIGHTEEN.

On page 11, line 20, of the printed bill, as amended, strike out the word "true".

AMENDMENT NUMBER NINETEEN.

On page 11, line 21, of the printed bill, as amended, strike out the word "thereof", and insert in lieu thereof the words "delivering same or permitting same to be delivered as provided by section 4 of this act".

AMENDMENT NUMBER TWENTY.

On page 11, line 30, of the printed bill, as amended, after the word "producer", insert the words "delivering same or causing or permitting same to be delivered as provided by section 4 of this act", and strike out the word "true".

AMENDMENT NUMBER TWENTY-ONE.

On page 11, line 31, of the printed bill, as amended, strike out the word "thereof".

AMENDMENT NUMBER TWENTY-TWO.

On page 11 of the printed bill, as amended, strike out lines 32-39, inclusive.

AMENDMENT NUMBER TWENTY-THREE.

On page 11, line 40, of the printed bill, as amended, after "Sec.", strike out the figure "8", and substitute the figure "9".

AMENDMENT NUMBER TWENTY-FOUR.

On page 11, line 50, of the printed bill, as amended, strike out the comma after the word "tank", and insert in lieu thereof a period, and strike out balance of line.

AMENDMENT NUMBER TWENTY-FIVE.

On page 11, line 51, of the printed bill, as amended, after "Sec.", strike out the figure "9", and substitute the figures "10".

AMENDMENT NUMBER TWENTY-SIX.

On page 12, line 12, of the printed bill, as amended, after "Sec.", strike out the figures "10", and insert in lieu thereof the figures "11".

AMENDMENT NUMBER TWENTY-SEVEN.

On page 12, line 22, of the printed bill, strike out the comma after the word "sale", and insert a period; and strike out the balance of line 22, and all of lines 23 and 24.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 12, line 25, of the printed bill, as amended, after "Sec.", strike out the figures "11", and substitute the figures "12".

AMENDMENT NUMBER TWENTY-NINE.

On page 12, line 30, of the printed bill, as amended, strike out the comma, and insert in lieu thereof the words "or deliver".

AMENDMENT NUMBER THIRTY.

On page 12, line 34, of the printed bill, as amended, strike out the comma after the word "refiner", and insert in lieu thereof the word "or", and strike out the words "or marketer".

AMENDMENT NUMBER THIRTY-ONE.

On page 12, line 35, of the printed bill, as amended, after "Sec.", strike out the figures "12", and substitute the figures "13".

AMENDMENT NUMBER THIRTY-TWO.

On page 12, line 42, of the printed bill, as amended, strike out the comma after the word "refiner", and insert in lieu thereof the word "or", and strike out the words "or marketer".

AMENDMENT NUMBER THIRTY-THREE.

On page 12, line 46, of the printed bill, as amended, after "Sec.", strike out the figures "13", and substitute the figures "14".

AMENDMENT NUMBER THIRTY-FOUR.

On page 13, line 11, of the printed bill, as amended, after "Sec.", strike out the figures "14", and substitute the figures "15".

AMENDMENT NUMBER THIRTY-FIVE.

On page 13, line 31, of the printed bill, as amended, after "Sec.", strike out the figures "15", and substitute the figures "16".

AMENDMENT NUMBER THIRTY-SIX.

On page 15, line 3, of the printed bill, as amended, after "Sec.", strike out the figures "16", and substitute the figures "17".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 15, line 16, of the printed bill, as amended, after "Sec.", strike out the figures "17", and substitute the figures "18".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 15, line 26, of the printed bill, as amended, after the word "authorized", insert the words "and directed".

AMENDMENT NUMBER THIRTY-NINE.

On page 15, line 33, of the printed bill, as amended, after "Sec.", strike out the figures "18", and substitute the figures "19".

AMENDMENT NUMBER FORTY.

On page 15, line 33, of the printed bill, as amended, after "Sec. 19.", strike out the remainder of the line and all of lines 34, 35, 36, 37, 38, 39 and 40, inclusive, and in lieu thereof insert the following: "Nothing in this act contained shall prohibit the sale, offering for sale, delivery, storage or transportation of the product of any manufacturer, refiner or producer, under the brand, trade-mark or trade name of another manufacturer, refiner or producer, where both of such manufacturers, refiners or producers have previously consented thereto, in writing, and when the quality of such product is equal to that of the manufacturer, refiner or producer under whose brand, trade-mark or trade name same is sold, offered for sale, delivered, stored or transported."

AMENDMENT NUMBER FORTY-ONE.

On page 15, line 41, of the printed bill, as amended, after "Sec.", strike out the figures "19", and substitute the figures "20".

Bill ordered to print, and re-referred to Committee on Oil Industries.

RECESS.

On motion of Senator Breed, at twelve o'clock and forty minutes p.m., the President of the Senate declared recess until two o'clock p.m.

RECONVENED.

At two o'clock p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Assistant Secretary Francis E. Dalin at the desk.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Joint Resolution No. 19—Relative to a tariff on Chinese dried eggs.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Assembly Joint Resolution No. 19 read, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 22—Relative to the investigation of the State highway system, and the inclusion of new roads within the secondary highway system.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Concurrent Resolution No. 22 read, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Joint Resolution No. 16—Relative to memorializing United States Secretary of Agriculture Arthur M. Hyde to rescind his order of December 26, 1930, with regard to the labeling of food products containing corn sugar.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Joint Resolution No. 16 read, and referred to Committee on Federal Relations.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 354—An act to amend section 24 of chapter 690, Statutes of 1913, entitled "An act to provide for and regulate primary elections, and providing a method for choosing the delegates for political parties to State conventions and for nominating electors of President and Vice President of the United States, and providing for the election of party county central committees, and to repeal an act approved April 7, 1911, known as the Direct Primary Law, and also to repeal an act approved December 24, 1911, amending sections 1, 3, 5, 7, 10, 12, 13, 22, 23, and 24 of the said Direct Primary Law, and also to repeal all other acts or parts of acts inconsistent with or in conflict with the provisions of this act," approved June 16, 1913, as amended, relating to party conventions, membership and organization of State central committees and county central committees;

Also: Assembly Bill No. 1662—An act to prohibit unfair commercial discrimination between different sections, communities or localities and providing penalties therefor;

Also: Assembly Bill No. 599—An act to amend section 2322a of the Political Code, relating to county horticultural commissioners;

Also: Assembly Bill No. 1075—An act to repeal an act entitled "An act prohibiting the preparation, sale, barter, shipment or exchange of any worthless, contaminated, dangerous or harmful hog cholera serum or virus; requiring every establishment for the preparation of hog cholera serum, virus, vaccine or antitoxin to be inspected and licensed by the director of the agricultural experiment station of the University of California; and providing penalties for violation of any of the provisions hereof," approved June 1, 1915.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 354 read first time, and referred to Committee on Elections.

Assembly Bill No. 1662 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 599 read first time, and referred to Committee on County Government.

Assembly Bill No. 1075 read first time, and referred to Committee on Agriculture and Live Stock.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1233—An act providing for the creation and organization of a port district, as an agency of the State of California, for the improvement, development, maintenance, control, government and operation of the harbor of San Francisco, and its authorized facilities, and for the development of the commerce, navigation, and fisheries of that harbor, to be known as the Port of San Francisco, and to become the successor of the Board of State Harbor Commissioners; defining the powers, duties, and jurisdiction of said port district; providing for the qualifications, the selection, and certain powers and duties of the officers and employees of said port district; abolishing the Board of State Harbor Commissioners and officers and positions thereunder; transferring certain State property to said port district, in trust for the State, for the uses and purposes of the act; providing for the acquisition, construction, maintenance, management and operation of property by said port district; authorizing said port district to levy taxes and incur indebtedness for certain purposes, and to fix, regulate, and collect for its own purposes all charges for the use or enjoyment of public property under the jurisdiction, possession and control of said port district or managed or operated by it; authorizing the City and County of San Francisco to make contributions to said port district for certain purposes; defining the obligations and privileges of the port district with regard to certain public moneys and certain State bonds, and certain harbor improvement funds and sinking funds connected therewith; and providing for the extension of said port district and the acquisition of certain State property in the event of any consolidation of the City and County of San Francisco with the county of San Mateo or any part thereof.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1233 read first time, and referred to Committee on Commerce and Navigation.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 438—An act to add four new sections to the Political Code, to be numbered 690a, 690b, 690c, and 690d, relating to the Division of Land Settlement and the State Department of Finance;

Also: Senate Bill No. 930—An act to add a new section to the Penal Code to be numbered section 347b, relating to the sale and use of any alcoholic solution of a potable nature containing any deleterious or poisonous substance, and declaring the urgency thereof;

And reports that same have been correctly enrolled and presented to the Governor on the sixth day of April, at one o'clock and forty-five minutes p.m.

DEUEL, Vice Chairman.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(OUT OF ORDER).

The following resolution was offered:

By Senator Fellom: Senate Concurrent Resolution No. 30—Providing for the creation of a joint committee of the Senate and Assembly to study street improvement laws of the State of California; to continue the work of preparing and making recommendations concerning changes in existing laws and to make an appropriation to meet the expenses of said committee necessarily incurred in said work.

Senate Concurrent Resolution No. 30 read, and referred to Committee on Municipal Corporations.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 330—An act to amend section 457 of the Civil Code, relating to bonds of railroad corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 330 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION BY SENATOR MALONEY.

Senator Maloney moved, seconded by Senator Tubbs, that when the Senate adjourns this day it do so out of respect to the memory of the late James E. Power, supervisor of San Francisco county.

Motion unanimously carried.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 470—An act to amend section 3,673 of the School Code, and to repeal section 3,674 thereof, relating to vacation schools.

RE-REFERENCE OF ASSEMBLY BILL NUMBER FOUR HUNDRED SEVENTY.

Senator Christian moved that Assembly Bill No. 470 be re-referred to Committee on Education.

Motion carried, and Assembly Bill No. 470 was re-referred to the Committee on Education.

RUSH ORDER TO PRINTER.

On motion of Senator Sharkey, the Secretary was directed to issue a rush order for printing Assembly Bill No. 513.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 480—An act to amend section 627 of the Penal Code, relating to trespass.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 480 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1054—An act to amend section 1, as amended, of the act entitled "An act to make available for the use of the United States government suitable places in this State for the public defense,

and for that purpose authorizing any county or municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereon, acquire by condemnation or otherwise land within the county or municipal corporation, and in consideration of the benefits to be derived therefrom by such county or municipal corporation to convey the same to the United States; conferring on such counties and municipal corporations the power of eminent domain for the purposes of this act, and providing the procedure therefor: granting the consent of the State to such conveyance, and ceding exclusive jurisdiction to the United States over the lands so conveyed," approved May 27, 1921, by conferring on any county, city and county, or municipal corporation now or hereafter organized, the power to acquire land within or without the county, city and county, or municipal corporation, and to convey the same to the United States.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1054 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Clock, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 743—An act establishing and validating the organization and existence of irrigation districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 743 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Clock, Deuel, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 744—An act to amend the California Irrigation District Act by adding thereto a new section to be numbered 48a, relating to clearing the title to land sold to the district for delinquent assessments.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 744 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Clock, Deuel, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, and Williams—24.

NOES—None.

AMENDMENT TO TITLE.

The following amendment to the title was offered, and its adoption moved by Senator McKinley:

AMENDMENT NUMBER ONE.

In the title of the printed bill, as amended in Assembly March 13, 1931, strike out lines 3 and 4, and insert in lieu thereof the following: "the title to property owned or claimed by an irrigation district".

Amendment adopted.

Title, as amended, read and approved.

Bill ordered to print, and transmitted to the Assembly.

Assembly Bill No. 290—An act to amend section 55 of the California Irrigation District Act, relating to tolls and charges for water.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 290 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, and Wagy—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 333—An act to amend sections 61b and 61c of the California Irrigation District Act, relating to the acquiring of property and the exchange of bonds therefor and the judicial determination of the legality of such bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 333 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Christian, Clock, Deuel, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Slater, Treacy, Tubbs, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1087—An act to add to the Penal Code a new section numbered 438, relating to taxation of transportation companies and passenger stage corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1087 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Deuel, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 734—An act regulating the sale of grain in sacks, defining the term grain, providing that the sacks shall be sold and purchased as part of the same transaction.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 734 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Treacy, Tubbs, Wagy, and Williams—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 538—An act to add a new section to be numbered 15a to chapter 189, Statutes of 1897, entitled "An act to provide for the organization and government of irrigation districts, and to provide for the acquisition or construction thereby of works for the irrigation of the lands embraced within such districts, and, also, to provide for the distribution of water for irrigation purposes," approved March 31, 1897, as amended, to be numbered 15a, relating to the expenditure of money by the board of directors to advertise the lands, resources, conditions and business of the irrigation district.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 538 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Duval, Evans, Fellom, Harper, Ingels, Maloney, McCormack, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1044—An act providing for the granting of franchises in counties, cities and counties, cities or towns for the disposal or destruction, or both, of garbage and other waste.

Bill read third time.

URGENCY CLAUSE.

SEC. 8. This act is hereby declared to be an urgency measure, deemed necessary for the immediate preservation of the public health and safety, within the meaning of section 1 of article IV of the constitution of the State of California, and as such it shall take effect immediately. The following is a statement of the facts constituting such necessity:

There exist in several parts of the State inadequate facilities for the disposal or destruction of garbage, waste, offal and debris, a condition which is needful of immediate remedy, and requires action on the part of the legislative bodies of governmental subdivisions herein mentioned to take such steps, as are authorized by the provisions of this act, as will immediately correct this condition.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—29.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1044 passed by the following vote:

AYES—Senators Breed, Bush, Carter, Cassidy, Cleveland, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1131—An act to amend the California Irrigation District Act, approved March 31, 1897, as amended, by adding a new section thereto, designated section 15c, relating to the powers of the board of directors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1131 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 342—An act to amend sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of adverse claims to real property, issuance and publication of summons, and the entry of judgment therein.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Rich moved to refer Senate Bill No. 342 to Senator Moran, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"An act to amend section 750 of the Code of Civil Procedure, relating to the issuance and publication of summons in actions to determine conflicting claims to real property."

AMENDMENT NUMBER TWO.

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and on page 2 of the printed bill, strike out lines 1 to 4, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 750 of the Code of Civil Procedure is".

AMENDMENT NUMBER THREE.

On page 2, line 39, of the printed bill, strike out the word "it".

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out lines 12 to 50, inclusive.

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 342, with instructions to amend, respectfully reports the same back, amended as per instructions.

MORAN, Committee.

Report read, and on motion of Senator Rich adopted.

Bill ordered to print and re-engrossment.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

ASSEMBLY JOINT RESOLUTION No. 8.

Relative to the increase in power of radio station KQW.

WHEREAS, The encouragement and protection of agriculture is an important feature of our legislative policy; and

WHEREAS, Radio station KQW, situated in the city of San Jose, State of California, has become, and now is, one of the leaders among the progressive and forward looking farm agencies of the State and has through its broadcasts been of material assistance to the farmers of the State in the sowing and marketing of their crops; and

WHEREAS, In order to continue its splendid work said station must be allowed to increase its power to 5000 watts; and

WHEREAS, An application for such increase is now pending before the Federal Radio Commission; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California urge the assistance of the Federal Radio Commission and the support of Congress; and that the President of the United States be respectfully requested to lend his aid, in order that the power of radio station KQW be increased; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, the Vice President of the United States, the Speaker of the House of Representatives of the United States, the Federal Radio Commission and to each Senator and Representative in Congress from the State of California.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 8 adopted by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Fellom, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 8 ordered transmitted to the Assembly.

Assembly Bill No. 525—An act to add a new section to the School Code to be numbered 4.353, relating to orders upon school district funds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 525 passed by the following vote:

AYES—Senators Breed, Bush, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Evans, Harper, Ingels, Jones, Maloney, McCormack, McKinley, Moran, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Treacy, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Duval:

SENATE CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend section 2979a of the Political Code, relating to health officers.

Request referred to Committee on Rules.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following bills were introduced:

By Senators Crittenden, Mixter, Nelson and Sharkey: Senate Constitutional Amendment No. 25—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding a new article thereto to be numbered article XXV, relating to eminent domain proceedings and relating to the adjudication of water rights.

Referred to Committee on Constitutional Amendments.

By Senators Crittenden, Mixter, Nelson and Sharkey: Senate Constitutional Amendment No. 26—A resolution to propose to the people of the State of California, an amendment to the constitution of said State by adding a new article thereto to be numbered article XXIV, relating to the development, conservation, control, utilization and regulation of the water resources of the State.

Referred to Committee on Constitutional Amendments.

ADJOURNMENT.

At three o'clock and thirty-two minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned, out of respect to the memory of the late James E. Power, supervisor of San Francisco County, until eleven o'clock a.m., Tuesday, April 7, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Tuesday, April 7, 1931.

The Senate met at eleven o'clock a.m.

Hon. Arthur H. Breed, President pro tempore of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagye, and Williams—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, April 6, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Allen was, on motion of Senator Bush, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Elder Creek School, Thelma Johnson, principal, and pupils as follows: Rose Persie, Flora James, William James, Stanley Davies, Virginia Vaccaro, Orval Carter, Constance Vaccaro, Minnie Vaccaro, Myrtle Ball, Georgina Randone, Marion Cabral, Mary Lightfoot, William Lonerde, Sherman Harding and Corene Carlson.

On request of Senator Williams, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Dugold Gray and Mr. John Nolan of Jamestown.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to J. W. Davis of Mill Valley.

On request of Senators Breed and Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. Denmery, H. C. Norton, Mrs. A. F. Coffee, Miss Irene Miller, Mrs. F. F. Fredrick, Mrs. L. B. Garbine, Mrs. A. P. Longley, Mrs. Nell Hutchinson and Mrs. Jennie Cochrane of Oakland.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to H. I. Mulerevy, county clerk of San Francisco.

On request of Senator Mixter, the privilege of the floor of the Senate Chamber for this day was unanimously extended to National Champion Dairy Cattle Judging Team of Hanford Union High School of Hanford, California, Mr. Herman Harper, coach, Ray McGinnis, Lloyd Logan and Charles Kagle.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Wayne Smith, attendance officer of Sonoma, and Russell Stevens of Healdsburg.

PRESENTATION OF PETITIONS.

The following petition was presented, and ordered printed in the Journal:

By Senator Pedrotti:

CARLSBAD, CALIFORNIA, April 4, 1931.

WHEREAS, The first requirement of a penal institution is reform; and

WHEREAS, Idleness is the prime factor of crime; and

WHEREAS, It is the opinion of the undersigned that proper provisions should be made:

First—To provide employment of prisoners in occupations, the products of which can be used only in institutions and departments of the State and its political subdivisions, and not for private use;

Second—To aid in defraying, through such occupations, a portion of the cost to the taxpayer of prisoners' maintenance and support of their dependents;

Third—To aid in the mental, physical and financial rehabilitation of prisoners through vocational training; therefore, be it

Resolved, That the San Diego County Federation of Women's Clubs do hereby endorse Assembly Bills Nos. 805 and 806, introduced in the California State Legislature by Assemblyman Kline, referring to payments and credits to prisoners employed in State prisons and reformatories, and referring to the management of prison industries and manufacture of prison-made goods.

(Signed)

ADA W. HILDRETH, President.
THELMA G. JOLLIFFE, Secretary.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 27—Approving certain amendments to the charter of the city of Bakersfield, county of Kern, State of California, voted for and ratified by the electors of said city of Bakersfield at a special election held therein on the twenty-fourth day of March, 1931.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Concurrent Resolution No. 27 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1703—An act to amend section 731 of the Code of Civil Procedure, relating to nuisances;

Also: Assembly Bill No. 26—An act to amend section 585 of the Code of Civil Procedure, relating to judgments;

Also: Assembly Bill No. 1092—An act to amend section 103c of the Code of Civil Procedure, providing for justice's clerks and deputy clerks;

Also: Assembly Bill No. 1093—An act amending section 103 of the Code of Civil Procedure, relating to justice's courts in townships and cities;

Also: Assembly Bill No. 458—An act to amend section 3051a of the Civil Code, relating to the amount recoverable on personal property liens;

Also: Assembly Bill No. 1024—An act to amend section 1204 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference under assignments for the benefit of creditors and receiverships to not exceeding \$300 for each worker for work done within 90 days and providing procedure for the enforcement of such claims;

Also: Assembly Bill No. 1026—An act to amend sections 1206, 1207, and 1208 of the Code of Civil Procedure, relating to preferred labor claims, raising the preference in claims under attachments, garnishments and executions to not exceeding \$300 for each worker for work done within 90 days prior to the levy and providing procedure for the enforcement of such claims;

Also: Assembly Bill No. 1058—An act to add a new section to the Code of Civil Procedure, to be numbered section 1455, providing that surviving heirs may collect, by affidavit and suit if necessary, and without procuring letters of administration, unpaid wages due deceased persons and giving them the same rights and privileges as wage claimants that the decedent would have been he or she alive.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1703, 26, 1092, 1093, 458, 1024, 1026 and 1058 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1569—An act to amend section 15 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, by making further and different provisions regarding notice of injury;

Also: Assembly Bill No. 1571—An act to amend section 14 of the Workmen's Compensation, Insurance and Safety Act of 1917, approved May 23, 1917, as amended, relating to proceedings before the Industrial Accident Commission in certain death benefit cases;

Also: Assembly Bill No. 707—An act to add a new section to the Penal Code to be numbered 374½, relating to the discharge of oily waste water from certain classes of vessels;

Also: Assembly Bill No. 943—An act to amend sections 1083a, 1095a, 1097, of the Political Code, relating to registration of electors and conduct of elections;

Also: Assembly Bill No. 1318—An act to amend sections 1103, 1105, 1106, of the Political Code, relating to registration of electors and conduct of elections;

Also: Assembly Bill No. 1376—An act providing for the joint expenses and powers by counties, by municipalities, or by municipalities and counties, and providing for the cooperation of the Department of Agriculture;

Also: Assembly Bill No. 330—An act to amend section 15 of chapter 216, Statutes of 1929, entitled "An act to regulate the sale, possession, distribution and use of habit forming, narcotic and other dangerous drugs and substances, and providing penalties for the violation thereof," approved May 4, 1929, relating to narcotic drugs.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bills Nos. 1569 and 1571 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 707 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bills Nos. 943 and 1318 read first time, and referred to Committee on Elections.

Assembly Bill No. 1376 read first time, and referred to Committee on County Government.

Assembly Bill No. 330 read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 329—An act to revise the title and to amend sections 2, 3, 4, 5, 6, and 9 of chapter 847, Statutes of 1927, known as the California Apiary Inspection Act, approved May 31, 1927, as amended;

Also: Senate Bill No. 449—An act to amend sections 6.470, 6.470-1, 6.470-2, 6.472, 6.473, 6.476 and 6.477 of the School Code, relating to the purchase of standard school supplies by the county superintendent of schools;

Also: Senate Bill No. 465—An act to amend section 2.801 of the School Code, relating to the liability of boards of school trustees, and to add a new section to the School Code, to be numbered section 2.990, providing for insurance by school districts;

Also: Senate Bill No. 728—An act to add a new section to the Political Code to be numbered 440, relating to the issuance of warrants and the duties and obligations of the Controller and other persons in relation thereto;

Also: Senate Bill No. 729—An act to amend chapter 586 of the Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending section 24 thereof and by adding thereto a new section to be numbered 24a, both relating to references to the State Water Commission, as referee;

Also: Senate Bill No. 742—An act to amend chapter 586, Statutes of 1913, known as the "Water Commission Act," approved June 16, 1913, as amended, by amending sections 37, 37a, 37c and 37f thereof and by adding thereto two new sections to be numbered 37g and 37h, all relating to the distribution of water in accordance with the rights thereto as determined by court decree or written agreement; And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 751—An act to create a fund to be known as the State Highway General Fund and providing for expenditures therefrom;

Also: Senate Bill No. 840—An act to amend section 4 of chapter 277 of the Statutes of 1907, entitled "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

ON CONSERVATION.

SENATE FRANKEL, SACRAMENTO, April 6, 1901.

MR. PRESIDENT. Your Committee on Conservation, to which was referred Assembly Bill No. 1871—An act to amend section 2 of the Water Conservation Act of 1897, relating to the powers of water conservators districts.

AND, Assembly Bill No. 722—An act to amend section 5 of chapter 176, Statutes of 1898, relating to the act to provide for the prevention and abatement of forest fires. Reported May 2, 1900, as amended, relating to the improvement, purchase and duties of conservator fire districts.

Have laid the same before consideration and respectfully reports the same back, and recommends that they be read.

Committee membership—7; committee vote, Ayes—4, absent—3.

EVANS, Chairman.

Assembly Bills Nos. 1871 and 722 ordered on file for second reading.

ON JUDICIARY.

SENATE FRANKEL, SACRAMENTO, April 7, 1901.

MR. PRESIDENT. Your Committee on Judiciary, to which was referred Assembly Bill No. 1865—An act to amend section 1019 of the Code of Civil Procedure relating to the conduct of criminal judicial proceedings—has had the same under consideration, and respectfully reports the same back, and recommends that it be passed.

Committee membership—17; committee vote, Ayes—12, absent—5.

CHRISTIAN, Chairman.

Assembly Bill No. 1865 ordered on file for second reading.

Also:

MR. PRESIDENT. Your Committee on Judiciary, to which was referred Assembly Bill No. 72—An act to amend section 1007 of the Penal Code, relating to the method of treatment of prisoners—has had the same under consideration, and respectfully reports the same back, with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—17; committee vote, Ayes—12, absent—5.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 72 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, strike out the words "medical treatment", and insert in lieu thereof, the following: "medical or surgical treatment commensurate with conditions."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 25 to 28 inclusive.

AMENDMENT NUMBER THREE.

On page 1, line 27, of the printed bill, insert after the words "transferred from the penitentiary," and insert the words "and of the penitentiary fund of each," the following: "in a hospital other than a private hospital, and cost shall be paid."

AMENDMENT NUMBER FOUR.

On page 1, line 28, of the printed bill, insert a line sentence after the words "transferred to him and receive," and before the words "in the event such prisoner die," such new sentence to read as follows: "In the case of any jail prisoners removed to the county hospital, the cost of such medical care and treatment to be paid by the city or the county, and in the case of any prisoners in the ward of supervisors of each county. The local board of supervisors may, but need not, fix different rates for different classes of patients in the different wards, and any and all such rates may be changed by new and special orders of supervisors at any time, but such an act of supervisors as made as said by the several officers had to the board of such medical care and treatment shall in each ward or for each classes of patients be approved."

AMENDMENT NUMBER FIVE.

On page 2, line 2 of the printed bill, insert after the words "the medical superintendent of such hospital," and before the words "and with the" the following: "except such a county hospital."

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 1123—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—17; committee vote: Ayes—8; noes—2; absent—7.

CHRISTIAN, Chairman.

Assembly Bill No. 1123 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure, the act to take effect immediately;

Also: Senate Bill No. 761—An act to amend section 1274b of the Code of Civil Procedure, relating to escheat;

Also: Senate Bill No. 651—An act to amend section 2280 of the Civil Code, relating to the revocation of trusts;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—12; absent—5.

CHRISTIAN, Chairman.

Senate Bills Nos. 355, 761 and 651 ordered on file for second reading.

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1084—An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and or pressing establishments, operated as independent concerns or as units of concerns, and private schools and colleges of spotting, sponging and/or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal; providing ways and means for enforcement, and providing penalties for violations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

Assembly Bill No. 1084 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 635—An act to amend sections 1, 2, 3 and 4 of chapter 354, Statutes of 1913, entitled "An act to regulate the examination of applicants for licenses, and the practice of those licensed, to treat diseases, injuries, deformities, or other physical or mental conditions of human beings; to establish a Board of Medical Examiners, to provide for their appointment and prescribe their powers and duties, and to repeal an act entitled 'An act for the regulation of the practice of medicine and surgery, osteopathy, and other systems or modes of treatment of sick or afflicted, in the State of California, and for the appointment of a Board of Medical Examiners in the matter of said regulations,' approved May 14, 1907, and acts amendatory thereof, and also to repeal all other acts and parts of acts in conflict with this act," relating to the office of State Medical Examiner—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Public Health and Quarantine, the following amendments to Senate Bill No. 635 were read and adopted:

AMENDMENT NUMBER ONE.

Strike out the title of the printed bill, and insert in lieu thereof the following: "An act to provide for the appointment of a tuberculosis commission, prescribing the duties of such commission, providing for the establishment and equipment of tuberculosis clinics, and making an appropriation therefor."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, after "SECTION 1," insert the following: "There is hereby created a commission to be known as the tuberculosis commission, to be composed of eight members, whose duties shall be to gratuitously examine all applicants for symptoms of tuberculosis.

SEC. 2. The members of the commission shall be appointed by the state board of health, and shall hold office at the pleasure of the board, except as hereinafter provided. The board of health may appoint additional members of the commission when, in the judgment of the board, such appointment is necessary to carry out the provisions of this act.

SEC. 3. Members of the commission must be graduates of a medical college approved by the board, be licensed to practice medicine in this state, and be especially qualified by training and experience, to diagnose and treat tuberculosis.

SEC. 4. Each member of the commission shall be the head or chief of one or more clinics for the examination and diagnosis of tuberculosis in persons resident in this state, and may be allowed such assistants as the board of health deem necessary, at a salary fixed by the board. Each member of the commission shall daily report to the board the names and medical history of persons examined, with a statement of the findings in each case. Such reports shall be filed in the office of the board of health.

SEC. 5. At least one clinic shall be established, equipped, and maintained in every city containing a population of one hundred thousand or more, and the department of public health may establish such additional clinics as it deems necessary. In addition to the clinics herein provided for, at least two traveling clinics shall be equipped and maintained for the purpose of visiting all areas of the state not directly served by the clinics first mentioned.

SEC. 6. The board of health is hereby authorized and directed to equip each member of the commission with such instruments and mechanisms as, in the judgment of the board, may be necessary in the diagnosis of tuberculosis. Such equipment shall remain the property of the state, and each member of the commission shall account therefor as often as the board may require. Clinics which are maintained for the purpose of visiting various parts of the state, shall be provided with a vehicle suitable for the transportation and use of the necessary instruments and equipment.

SEC. 7. Each member of the commission shall receive a salary of ----- dollars per annum, and his necessary traveling expenses incurred in performing the duties prescribed in this act.

SEC. 8. Unless the clinic of which he is the chief is abolished, no member of the commission shall be removed from office by the board, except after a hearing before said board, at which such member shall be informed of the charges against him, and shall be allowed to make his defense thereto. An appeal from the decision of the board on the question of dismissal, may be taken to the superior court of the county in which the hearing is had.

SEC. 9. The sum of ----- dollars is hereby appropriated out of any moneys in the treasury not otherwise appropriated for the purpose of carrying out the provisions of this act."

Bill ordered to print, and re-referred to Committee on Public Health and Quarantine.

Also:

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Assembly Bill No. 1083—An act to amend the title and sections 1, 2, 3, 4, 5, and 6 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Industrial Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement, and providing penalties for violations," approved June 3, 1927, as amended, relating to the definition of clothes cleaning establishments, the transference of funds and appropriations from the Clothes Cleaning Establishment Fund to the State Fire Marshal's Fund, and to the Division of Industrial Fire Safety in the Department of Industrial Relations—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—6.

WILLIAMS, Chairman.

Assembly Bill No. 1083 ordered on file for second reading.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Duval to introduce a bill entitled: An act to amend section 2979a of the

Political Code, relating to health officers—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Breed, Bush, Cassidy, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Duval: Senate Bill No. 943—An act to amend section 2979a of the Political Code, relating to health officers.

Bill read first time, and referred to Committee on Public Health and Quarantine.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 6, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 584—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 10, 12, 12a, 14, 15, 16, 18, 19, 20, 21, and to add a new section to be numbered 24 to chapter 845, Statutes 1927 "An act to regulate the occupations and practices of hairdressers and cosmeticians, cosmetologists, and the branches of cosmetology; to create the State Board of Cosmetology, and to provide for the issuance by said board of certificates of registration and licenses entitling the holders thereof to engage in and to teach such occupations and practices; to insure the better education of hairdressers and cosmeticians; to provide for rules regulating the proper conduct and sanitation of cosmetological establishments, schools of cosmetology, and places where the occupations of hairdressers and cosmeticians are practiced; prescribing penalties for the violation of the provisions of this act," approved by the Governor, May 31, 1927—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—7; committee vote: Ayes—6; absent—1.

WILLIAMS, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Public Health and Quarantine, the following amendments to Senate Bill No. 584 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed re-engrossed bill, after the figure "8", add the figure "9," and after the figure "12a," add the figure "13".

AMENDMENT NUMBER TWO.

On page 2, line 11, of the printed re-engrossed bill, strike out the period after the word "person", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER THREE.

On page 2, line 12, of the printed re-engrossed bill, strike out the capital "M", in the word "Massaging", and insert in lieu thereof a small "m".

AMENDMENT NUMBER FOUR.

On page 2, line 16, of the printed re-engrossed bill, strike out the period after the word "creams", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER FIVE.

On page 2, line 17, of the printed re-engrossed bill, strike out the capital "B", in the word "Beautifying", and insert in lieu thereof a small "b".

AMENDMENT NUMBER SIX.

On page 2, line 24, of the printed re-engrossed bill, strike out the period after the word "Rays", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER SEVEN.

On page 2, line 25, of the printed re-engrossed bill, strike out the capital "C", and insert in lieu thereof a small "c".

AMENDMENT NUMBER EIGHT.

On page 2, line 26, of the printed re-engrossed bill, strike out the period after the word "person", and insert in lieu thereof a comma, and add the following: "and massaging, cleansing, treating, or beautifying the hands of any person."

AMENDMENT NUMBER NINE.

On page 2, line 30, of the printed re-engrossed bill, strike out the word "branches", and insert in lieu thereof the word "branch".

AMENDMENT NUMBER TEN.

On page 2, line 30, of the printed re-engrossed bill, insert a period after the word "electrolysis", and strike out the following: "or of manicuring as practiced in a barber shop."

AMENDMENT NUMBER ELEVEN.

On page 2, line 33, of the printed re-engrossed bill, after the word "removes", add the word "from".

AMENDMENT NUMBER TWELVE.

On page 2, line 36, of the printed re-engrossed bill, strike out the word "only".

AMENDMENT NUMBER THIRTEEN.

On page 2, line 38, of the printed re-engrossed bill, strike out the period after the word "person", and insert in lieu thereof a comma and add the following: "and massaging, cleansing, treating, or beautifying the hands of any person."

AMENDMENT NUMBER FOURTEEN.

On page 2, between lines 38 and 39, of the printed re-engrossed bill, insert the following: "(f) The words 'permanent waver' are defined as follows: Any person who engages in the occupation of waving the hair by the use of permanent waving machines, with the cleansing and dressing of the hair necessary thereto."

AMENDMENT NUMBER FIFTEEN.

On page 2, line 39, of the printed re-engrossed bill, strike out "(f)", and insert in lieu thereof "(g)".

AMENDMENT NUMBER SIXTEEN.

On page 2, line 45, of the printed re-engrossed bill, strike out "(g)", and insert in lieu thereof "(h)".

AMENDMENT NUMBER SEVENTEEN.

On page 2, line 50, of the printed re-engrossed bill, strike out "(h)", and insert in lieu thereof "(i)".

AMENDMENT NUMBER EIGHTEEN.

On page 3, line 3, of the printed re-engrossed bill, strike out "(i)", and insert in lieu thereof "(j)".

AMENDMENT NUMBER NINETEEN.

On page 3, line 7, of the printed re-engrossed bill, strike out "(j)", and insert in lieu thereof "(k)".

AMENDMENT NUMBER TWENTY.

On page 4 of the printed re-engrossed bill, beginning with line 19, strike out the following: "(c) or who is connected, directly or indirectly, or who was so connected within one year prior to his appointment, in the business of the manufacture, rental, sale, or distribution of cosmetological appliances or supplies."

AMENDMENT NUMBER TWENTY ONE.

On page 4 of the printed re-engrossed bill, between lines 33 and 34, insert the following: "(c) or who is connected, directly or indirectly, or who was so connected within one year prior to his appointment, in the business of the manufacture, rental, sale, or distribution of cosmetological appliances or supplies."

AMENDMENT NUMBER TWENTY-TWO.

On page 4, line 43, of the printed re-engrossed bill, after the word "fill", strike out the words "the same by appointing a member to fill".

AMENDMENT NUMBER TWENTY-THREE.

On page 4, line 44, of the printed re-engrossed bill, strike out the word "their", and insert in lieu thereof the word "his".

AMENDMENT NUMBER TWENTY-FOUR.

On page 4, line 49, of the printed re-engrossed bill, strike out the words "of the meetings of the board", and insert in lieu thereof the following: "at board meetings".

AMENDMENT NUMBER TWENTY-FIVE.

On page 4, line 52, of the printed re-engrossed bill, between the words "to", and "more", insert the following: "per diem compensation for".

AMENDMENT NUMBER TWENTY-SIX.

On page 5 of the printed re-engrossed bill, omit all commas in lines 5 and 6.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5, line 17, of the printed re-engrossed bill, strike out the comma after the word "director", and insert in lieu thereof a semicolon.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 5, line 27, of the printed re-engrossed bill, strike out the word "which", and insert in lieu thereof the word "who".

AMENDMENT NUMBER TWENTY-NINE.

On page 5, line 37, of the printed re-engrossed bill, after the word "registration", insert the words "and license".

AMENDMENT NUMBER THIRTY.

On page 5, line 45, of the printed re-engrossed bill, strike out the word "disease", and insert in lieu thereof the word "diseases".

AMENDMENT NUMBER THIRTY-ONE.

On page 6, line 12, of the printed re-engrossed bill, strike out the word "officer", and insert in lieu thereof the word "officers".

AMENDMENT NUMBER THIRTY-TWO.

On page 6, line 23, of the printed re-engrossed bill, strike out the words "certificate of registration", and insert in lieu thereof the word "license".

AMENDMENT NUMBER THIRTY-THREE.

On page 6, line 23, of the printed re-engrossed bill, strike out the word "registered", and insert in lieu thereof the word "licensed".

AMENDMENT NUMBER THIRTY-FOUR.

On page 6, line 29, of the printed re-engrossed bill, after "cants", insert the words "may make in their application for examination", and also after the word "registration", insert the words "and license".

AMENDMENT NUMBER THIRTY-FIVE.

On page 6, line 37, of the printed re-engrossed bill, after the word "registration", insert the words "and license under this act".

AMENDMENT NUMBER THIRTY-SIX.

On page 6, line 43, of the printed re-engrossed bill, after the word "registration", insert the words "and license".

AMENDMENT NUMBER THIRTY-SEVEN.

On page 6, line 50, of the printed re-engrossed bill, after "tion", add the words "and license," and strike out the word "registered".

AMENDMENT NUMBER THIRTY-EIGHT.

On page 7, line 15, of the printed re-engrossed bill, add a comma after the word "October".

AMENDMENT NUMBER THIRTY-NINE.

On page 8, line 8, of the printed re-engrossed bill, strike out the word "was", and insert in lieu thereof the words "has been".

AMENDMENT NUMBER FORTY.

On page 8, line 17, of the printed re-engrossed bill, strike out the word "three", and insert in lieu thereof the word "two", and in line 18, strike out the word "three", and insert in lieu thereof the word "two", and also in line 18, after the word "months", add the following: "and who shall have had an education equivalent to the completion of the eighth grade in the public schools of this state," and also strike out in lines 20 and 21 the words "in a licensed school".

AMENDMENT NUMBER FORTY-ONE.

On page 8, line 39, of the printed re-engrossed bill, strike out the comma and the word "or", and insert in lieu thereof "for registration and".

AMENDMENT NUMBER FORTY-TWO.

On page 8, between lines 43 and 44, of the printed re-engrossed bill, insert the following: "Every person who makes application to the board in the proper form

accompanied by two photographs size three by three inches, and who is of good moral character and temperate habits, over the age of sixteen years, and who shall have had an education equivalent to the completion of the eighth grade in the public schools of this state, shall upon the payment of a fee of one dollar (\$1.00) be issued a license as a junior operator.

Every person who makes application to the board in the proper form accompanied by two photographs size three by three inches, and who is of good moral character and temperate habits, over the age of seventeen years and six months, and who shall have had an education equivalent to the completion of the eighth grade in the public schools of this state, shall upon the payment of a fee of one dollar (\$1.00), be issued a license as a junior electrologist.

Every person who makes application to the board in the proper form accompanied by two photographs size three by three inches, and who is of good moral character and temperate habits, over the age of seventeen years and nine months, and who shall have had an education equivalent to the completion of the eighth grade in the public schools of this state, shall upon the payment of a fee of one dollar (\$1.00), be issued a license as a junior manicurist.

Every person who makes application to the board in the proper form accompanied by two photographs size three by three inches, and who is of good moral character and temperate habits, over the age of seventeen years and six months, and who shall have had an education equivalent to the completion of the eighth grade in the public schools of this state, shall upon the payment of a fee of one dollar (\$1.00), be issued a license as a junior permanent waver."

AMENDMENT NUMBER FORTY-THREE.

On page 9, line 6, of the printed re-engrossed bill, strike out "reg.", and insert in lieu thereof "i.e."

AMENDMENT NUMBER FORTY-FOUR.

On page 9, line 7, of the printed re-engrossed bill, strike out the word "to", and insert in lieu thereof the word "shall".

AMENDMENT NUMBER FORTY-FIVE.

On page 9, line 46, of the printed re-engrossed bill, strike out the word "entitled", and insert in lieu thereof the word "entitle".

AMENDMENT NUMBER FORTY-SIX.

On page 10 of the printed re-engrossed bill, between lines 21 and 22, insert the following: "The fees for registration and licensing of applicants under the provisions of this section shall be (a) hairdresser and cosmetician or cosmetologist, ten dollars (\$10); *provided, however*, that anyone failing to pass the first examination, shall upon application, be permitted a second examination for which no fee shall be required; (b) permanent waver, seven dollars and fifty cents (\$7.50); *provided, however*, that anyone failing to pass the first examination, shall upon application, be permitted a second examination, for which no fee shall be required; (c) electrologist, ten dollars (\$10); *provided, however*, that anyone failing to pass the first examination, shall upon application, be permitted a second examination, for which no fee shall be required; (d) manicurist, five dollars (\$5); *provided, however*, that anyone failing to pass the first examination, shall upon application, be permitted a second examination, for which no fee shall be required."

AMENDMENT NUMBER FORTY-SEVEN.

On page 10 of the printed re-engrossed bill, between lines 39 and 40, insert the following:

"Sec. 12. Section 13 of an act known as the "Act concerning cosmetology," approved May 31, 1927, is hereby amended to read as follows:

Sec. 13. Each applicant for examination for determining his or her fitness to receive a certificate of registration and license as a hairdresser and cosmetician, shall pay to the board a fee of ten dollars (\$10); *provided, however*, that anyone failing to pass the first examination, shall upon application, be permitted a second examination, for which no fee shall be required.

The fee for examination in permanent waving shall be seven dollars and fifty cents (\$7.50); *provided, however*, that anyone failing to pass the first examination, shall upon application, be permitted a second examination, for which no fee shall be required.

The fee for examination as an electrologist shall be ten dollars (\$10); *provided, however*, that anyone failing to pass the first examination, shall upon application be permitted a second examination, for which no fee shall be required.

The fee for examination as a manicurist shall be five dollars (\$5); *provided, however*, that anyone failing to pass the first examination, shall upon application be permitted a second examination, for which no fee shall be required."

AMENDMENT NUMBER FORTY-EIGHT.

On page 10, line 40, of the printed re-engrossed bill, strike out the figure "12", and insert in lieu thereof the figure "13".

AMENDMENT NUMBER FORTY-NINE.

On page 10, line 44, of the printed re-engrossed bill, strike out the word "or".

AMENDMENT NUMBER FIFTY.

On page 10, line 45, of the printed re-engrossed bill, after the word "every", insert the word "licensed".

AMENDMENT NUMBER FIFTY-ONE.

On page 11, line 18, of the printed re-engrossed bill, strike out the figure "13", and insert in lieu thereof the figure "14".

AMENDMENT NUMBER FIFTY-TWO.

On page 11, line 26, of the printed re-engrossed bill, strike out the words "immediately thereafter".

AMENDMENT NUMBER FIFTY-THREE.

On page 11, line 28, of the printed re-engrossed bill, strike out the word "certificate", and insert in lieu thereof the word "license".

AMENDMENT NUMBER FIFTY-FOUR.

On page 11, line 29, of the printed re-engrossed bill, strike out the word "certificate", and insert in lieu thereof the word "license".

AMENDMENT NUMBER FIFTY-FIVE.

On page 11, line 30, of the printed re-engrossed bill, strike out the word "certificate", and insert in lieu thereof the word "license".

AMENDMENT NUMBER FIFTY-SIX.

On page 11, line 31, of the printed re-engrossed bill, strike out the figure "14", and insert in lieu thereof the figure "15".

AMENDMENT NUMBER FIFTY-SEVEN.

On page 11, line 40, of the printed re-engrossed bill, strike out the word "surgical".

AMENDMENT NUMBER FIFTY-EIGHT.

On page 11, line 41, of the printed re-engrossed bill, strike out the words "and medical".

AMENDMENT NUMBER FIFTY-NINE.

On page 11, line 41, of the printed re-engrossed bill, between the words "the", and "United States", insert the following: "medical corps of the".

AMENDMENT NUMBER SIXTY.

On page 11, line 42, of the printed re-engrossed bill, after the word "service", insert the words "or public health service".

AMENDMENT NUMBER SIXTY-ONE.

On page 11, line 45, of the printed re-engrossed bill, strike out the period after the word "concerned", and add the following: "when engaged in any of the following practices, namely: Arranging, dressing, curling and waving, cleansing, cutting, or singeing, the hair of any person; or in massaging, cleansing, stimulating, exercising, or similar work, the scalp, face or neck, of any person, with the hands or with mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions, or creams."

AMENDMENT NUMBER SIXTY-TWO.

On page 11, line 46, of the printed re-engrossed bill, strike out the figure "15", and insert in lieu thereof the figure "16".

AMENDMENT NUMBER SIXTY-THREE.

On page 12, beginning with line 23, of the printed re-engrossed bill, strike out the following: "Every school maintained by the State, county, city and county, or city, teaching cosmetology without compensation, shall make application to the board of cosmetology for certificate of registration and shall be exempt from payment of a fee for certificate of registration to conduct such school."

AMENDMENT NUMBER SIXTY-FOUR.

On page 12, line 46, of the printed re-engrossed bill, after the word "physician", strike out the comma, and insert the words "and surgeon".

AMENDMENT NUMBER SIXTY-FIVE.

On page 13, line 25, of the printed re-engrossed bill, strike out the figure "16", and insert in lieu thereof the figure "17".

AMENDMENT NUMBER SIXTY-SIX.

On page 13, line 32, of the printed re-engrossed bill, after the word "operator", insert the following: "junior permanent waver, junior electrologist, or junior manicurist".

AMENDMENT NUMBER SIXTY-SEVEN.

On page 13, line 46, of the printed re-engrossed bill, print the word "duplicate", in capital letters.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 14, line 1, of the printed re-engrossed bill, strike out the figure "17", and insert in lieu thereof the figure "18".

AMENDMENT NUMBER SIXTY-NINE.

On page 14, line 15, of the printed re-engrossed bill, strike out the figure "18", and insert in lieu thereof the figure "19".

AMENDMENT NUMBER SEVENTY.

On page 14, line 39, of the printed re-engrossed bill, after the word "which", insert the word "in".

AMENDMENT NUMBER SEVENTY-ONE.

On page 15, line 27, of the printed re-engrossed bill, strike out the figure "19", and insert in lieu thereof the figure "20".

Bill ordered to print, and re-referred to Committee on Public Health and Quarantine.

ON AGRICULTURE AND LIVE STOCK.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 1215—An act authorizing the Director of Finance to contract for the exhibiting of California live stock;

Also: Assembly Bill No. 767—An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected, defective, and diseased apples, providing for its enforcement and fixing penalties for its violation;

Also: Assembly Bill No. 1499—An act to add a new section to be numbered section 65 to chapter 421, Statutes of 1925, entitled the "California Canned Fruit Standardization Act," approved May 23, 1925, as amended, providing for the use of United States Department of Agriculture markings on canned products;

Also: Assembly Bill No. 701—An act to amend section 5 of an act entitled "An act to restrict the running of dogs at large; to protect live stock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of live stock injured by dogs," approved June 3, 1921, as amended, relating to dog licenses;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—13; committee vote: Ayes—7; absent—6.

DUVAL, Chairman.

Assembly Bills Nos. 1215, 767, 1499 and 701 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Agriculture and Live Stock, to which was referred Assembly Bill No. 1096—An act to amend chapter 70, Statutes of 1929, entitled "An act creating the Department of Agriculture Fund, specifying what moneys are to be credited to this fund, providing that all moneys remaining in certain special funds at the time this act takes effect shall be credited to said fund, providing that separate record of income and disbursements be kept of all moneys accruing to this fund and providing for a revolving fund," approved April 9, 1929, by adding a new section thereto to be known as section 6, providing for the payment into the "Department of Agriculture Fund," of moneys received by the Department of Agriculture under section 2319i of the Political Code;

Also: Assembly Bill No. 1177—An act to amend sections 2, 3, 4, 6, 7, 8, 12, 18, 20, and 21 of, and to add two new sections to be numbered 124 and 22a to the General Dairy Law of California, approved June 15, 1923, as amended;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—13; committee vote: Ayes—7; absent—6.

DUVAL, Chairman.

Assembly Bills Nos. 1096 and 1177 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 933—An act to amend section 4041.21 of the Political Code, relating to the powers of boards of supervisors.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 575—An act to amend sections 2, 4, and 5 of an act entitled "An act to create the office of Public Defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the compensation of Public Defender.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4 and 5", and insert in lieu thereof the following: "4, 5 and 6".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 5 of the title of the printed bill, strike out "compensation", and insert in lieu thereof the word "office".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 15, of the printed bill, strike out "tenth and eleventh classes," and insert in lieu thereof the words "fourteenth class".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 75—An act to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 16, of the printed bill, after "district", insert the following: "and will not serve as a fire hazard to the remaining portion of the district".

Amendment adopted.

* AMENDMENT NUMBER TWO.

On page 2, line 18, of the printed bill, after "petition", insert a semicolon and the following: "provided, that if in the judgment of the board of supervisors the exclusion of the territory sought to be withdrawn will make further existence of the district impracticable, then said board shall proceed to call an election for dissolution as in this act provided".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 711—An act to amend section 2322x8 of the Political Code, relating to the office of agricultural commissioner in counties of the eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322x8", and insert in lieu thereof "2322x10".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "eighth", and insert in lieu thereof "tenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "2322x8", and insert in lieu thereof "2322x10".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"2322x10. In counties of this class, the county agricultural commissioner shall receive a salary of three thousand dollars per annum; *provided*, that in counties of this class there shall be and there is hereby allowed to the commissioner the following deputies, clerks and inspectors to be appointed by said commissioner, and the salaries are hereby fixed as follows, to wit:

Two deputy county agricultural commissioners at a salary of two thousand one hundred dollars per annum each; one supervising inspector at a salary of two thousand four hundred dollars per annum; one clerk to act as stenographer and bookkeeper at a salary of not to exceed one thousand five hundred dollars per annum; one clerk to act as stenographer and bookkeeper at a salary of not to exceed one thousand two hundred dollars per annum; one clerk to act as warehouseman and truck driver at a salary of one thousand six hundred eighty dollars per annum; nineteen inspectors at a salary of not less than one hundred nor more than one hundred fifty dollars per month each; fifteen inspectors at a salary of one dollar per annum each."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 712—An act to add section 19x8 to the Juvenile Court Law, relating to probation officers in counties of the eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "add section 19x8 to", and insert in lieu thereof the following: "amend section 19x10 of".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 2 of the title of the printed bill, strike out "eighth", and insert in lieu thereof "tenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert in lieu thereof the following:

"SECTION 1. Section 19x10 of the juvenile court law is hereby amended to read as follows:

Sec. 19x10. In counties of the tenth class there shall be a chief probation officer whose salary shall be the sum of two hundred dollars per month, one assistant probation officer whose salary shall be the sum of one hundred twenty-five dollars

per month and three assistant probation officers whose salaries shall be the sum of one hundred dollars per month each."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 710—An act to amend section 16x8 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "16x8", and insert in lieu thereof "16x10".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "eighth", and insert in lieu thereof "tenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "16x8", and insert in lieu thereof "16x10".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 5, inclusive, and insert in lieu thereof the following:

"Sec. 16x10. The sealer of weights and measures in counties of the tenth class shall receive a salary of two hundred dollars per month, and deputies shall receive one hundred fifty dollars per month each."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 708—An act to add a new section to be numbered 9a8 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,' " approved February 25, 1911, as amended, relating to libraries in counties of the eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "9a8", and insert in lieu thereof "9a10".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 8 of the title of the printed bill, strike out "eighth", and insert in lieu thereof "tenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "9a8", and insert in lieu thereof "9a10".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 and 4, and insert in lieu thereof the following:

"Sec. 9a10. In counties of the tenth class the salary of the county librarian shall be two thousand dollars per annum."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 709—An act to amend section 4237 of the Political Code, relating to compensation of county and township officers in counties of the eighth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4237", and insert in lieu thereof "4239".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "eighth", and insert in lieu thereof "tenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "4237", and insert in lieu thereof "4239".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof the following:

"4239. In counties of the tenth class the county officers".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, after line 6, of the printed bill, insert as a new paragraph the following:

"1. The county clerk, four thousand dollars per annum.

2. The sheriff, four thousand five hundred dollars per annum. The sheriff shall also be allowed his actual, reasonable and necessary expenses in all civil and criminal cases.

3. The recorder, three thousand six hundred dollars per annum.

4. The auditor, three thousand six hundred dollars per annum.

5. The treasurer, two thousand six hundred dollars per annum.

6. The tax collector, two thousand five hundred dollars per annum.

7. The assessor, four thousand dollars per annum. The assessor shall receive his actual, reasonable and necessary expenses while engaged in his official duties in the field.

8. The district attorney, six thousand dollars per annum; except that the district attorney shall not personally engage in private practice; *provided, however*, that this shall not be construed to preclude the district attorney from continuing and concluding any private matter in which he has appeared of record prior to taking office; *provided*, that in counties of this class the district attorney in addition to the salary herein fixed, shall be allowed his traveling and other personal expenses incurred in criminal cases arising in the county and in civil actions and proceedings in which the county is interested, and all other expenses necessarily incurred by

him in the detection of crime and the prosecution of criminal cases, and in civil actions and proceedings and all other matters in which the county is interested, all of which said charges and expenses incurred by him shall be a legal charge against the county.

9. The coroner, such fees as are now or may be hereafter allowed by law.

10. The public administrator, such fees as are now or may be hereafter allowed by law.

11. The superintendent of schools, four thousand five hundred dollars per annum; *provided, however*, that in counties of this class the superintendent of schools in addition to the salary herein fixed shall be allowed ten dollars per school district for traveling expenses where he shall have visited each school of said district in the county during any one calendar year.

12. The surveyor, four thousand dollars per annum, and actual, reasonable and necessary expenses when engaged in the field, or in the office in the discharge of his official duties in the county.

13. Justices of the peace shall receive the following salaries for all services rendered by them, payable in the same manner as county officers are paid, viz: In townships having a population of twenty thousand or more, three hundred dollars per month; in townships having a population of not less than fifteen thousand nor more than twenty thousand, two hundred dollars per month; in townships having a population of not less than nine thousand nor more than fifteen thousand, one hundred fifty dollars per month; in townships having a population of not less than five thousand nor more than ten thousand, one hundred dollars per month; in townships having a population of not less than three thousand, nor more than five thousand, sixty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty-five dollars per month; in townships having a population of not less than one thousand four hundred nor more than two thousand, thirty-five dollars per month; in all townships having a population of less than one thousand four hundred, twenty-five dollars per month; *provided*, that for the purposes of this section the population of the several townships shall be ascertained by multiplying the number of registered voters at the last general election by three and one-half. The compensation herein fixed for justices of the peace shall be in full for all services rendered and all fees collected by them shall be paid into the county treasury as provided by law. In townships having a population of twenty thousand or more, the justice of the peace shall be allowed a clerk, which position is hereby created. Such clerk shall be appointed by the justice of the peace of said township, and shall hold office during the pleasure of said justice of the peace. Said clerk shall give a bond in the sum of three thousand dollars, with at least two sureties to be approved by a judge of the superior court of the county in which said township is situated, conditioned for the faithful discharge of the duties of the office; and he shall receive an annual salary of one thousand eight hundred dollars. The justice's clerk shall keep a record of the proceedings of the said court, and shall issue all process ordered by the court, and shall collect and receive all fines and forfeitures in criminal cases and pay the same, to the authorities legally entitled to receive the same, at the time and in the manner provided by law. He shall prepare bonds, justify bail when the amount has been fixed by the court, and shall have authority to administer and certify oaths and take and certify affidavits in any action, suit or proceedings in said justice's court. The clerk shall be in attendance on the court in the courtroom of said justice's court for the dispatch of official business, daily, legal holidays excepted, from the hour of nine o'clock a.m. until five o'clock p.m. and during such reasonable times thereafter as may be necessary for the proper performance of his duties.

14. Constables shall receive the following salaries for all services rendered by them in criminal cases, payable monthly in the same manner as county officers are paid, viz: In townships having a population of five thousand or more, one hundred dollars per month; in townships having a population of not less than three thousand nor more than five thousand, fifty dollars per month; in townships having a population of not less than two thousand nor more than three thousand, forty-five dollars per month; in townships having a population of not less than one thousand four hundred, nor more than two thousand, thirty-five dollars per month; in all townships having a population of less than one thousand four hundred, twenty-five dollars per month. Constables in counties of this class shall also receive for their own use and benefit such fees as are now or may be hereafter allowed by law for mileage in criminal cases and shall also receive such fees as are now or may hereafter be allowed by law in civil cases. Such mileage in criminal cases is intended to cover the ordinary expenses of constables, and other than such mileage, they shall be allowed the following expenses and no other, to wit: In criminal, insane, inebriate and drug habitue cases, the actual, reasonable and necessary cost of transporting prisoners to and from the county jail; of supporting such prisoners while in their custody; of pursuing criminals when a felony has been committed within their township and no warrant has been issued, whether an arrest has been made or not; of transporting inebriates, drug habitues and insane persons from the justice's court to the place of detention and from the place of detention to the superior court, and from the superior court to the insane asylum, but no mileage shall be allowed for

such transportation to the place of detention, to the superior court or to the insane asylum.

15. Each member of the board of supervisors, one thousand eight hundred dollars per annum, and their necessary expenses when attending to the business of the county, other than the meetings of the board; and fifteen cents a mile in traveling to and from his residence to the county seat; *provided*, that not more than one mileage at any one regular or special meeting of the board shall be allowed.

16. The bonds of the clerk, sheriff, recorder, auditor, treasurer, tax collector, assessor, district attorney, coroner, public administrator, surveyor and superintendent of schools, justice of the peace, constable and clerk of the justice of the peace, and the full time deputies and the bond clerk in the county treasurer's office, shall be executed with a reliable bond and security company, and the cost of said bond when duly approved shall be a charge against the county, and payable out of the general fund.

17. The county clerk shall have one chief deputy at a salary of two thousand seven hundred dollars per annum; three courtroom deputies at a salary of two thousand four hundred dollars per annum each; five office deputies at a salary of one thousand eight hundred dollars per annum each; one deputy who shall act as clerk to the board of supervisors at a salary of two thousand four hundred dollars per annum; and a deputy or deputies not to exceed twenty for the purpose of registering electors and performing all duties pertaining to elections who shall be paid not to exceed five dollars per diem each; also a deputy or deputies to register electors who shall receive a compensation of ten cents for each elector registered and the necessary postage or expressage in sending affidavits of registration to county clerk's office; and who shall receive no other compensation or expenses.

The county recorder, one first assistant at a salary of two thousand four hundred dollars per annum; one second assistant at a salary of one thousand nine hundred twenty dollars per annum; two comparing clerks and one index clerk at a salary of one thousand six hundred twenty dollars per annum each; one deputy at a salary of one thousand five hundred sixty dollars per annum each; the recorder may hire necessary assistants in cases of emergency and at a salary not to exceed five dollars per diem each; but the aggregate pay of such assistants for such work shall not exceed three thousand dollars in any one calendar year.

The treasurer, one chief deputy at a salary of three thousand dollars per annum; one deputy at a salary of two thousand one hundred sixty dollars per annum; three deputies at a salary of two thousand forty dollars per annum each; four deputies who shall serve for a period of not to exceed six months in any one calendar year and shall receive therefor the sum of one hundred and fifty dollars per month each; one cashier and bond clerk who shall serve for a period of not to exceed one hundred eighty days in any one calendar year and shall receive therefor the sum of six dollars per diem; one cashier, who shall serve for a period of not to exceed seventy-five days in any one calendar year and shall receive therefor the sum of six dollars per diem; and such emergency deputy or deputies as shall be required and who shall receive for his or their services a sum not to exceed five dollars per diem each; *provided*, however, that the aggregate pay of such emergency deputy or deputies shall not exceed in any one calendar year the sum of four thousand dollars; two guards at one hundred fifty dollars per month, and one guard at five dollars per day while employed and not to exceed one hundred fifty dollars per month.

The county auditor, one chief deputy at a salary of two thousand four hundred dollars per annum; one chief accountant at a salary of two thousand four hundred dollars per annum; one second deputy at a salary of two thousand four hundred dollars per annum; one third deputy at a salary of one thousand eight hundred dollars per annum; one stenographer at a salary of one thousand five hundred dollars per annum; the auditor may hire necessary assistants for the purpose of extending taxes and in cases of emergency at a salary not to exceed five dollars per diem each; *provided*, that the aggregate salaries of such assistants shall not exceed the sum of three thousand dollars in any calendar year.

The district attorney, an assistant district attorney at a salary of three thousand four hundred fifty dollars per annum; one second assistant district attorney at a salary of two thousand five hundred fifty dollars per annum; one third assistant district attorney at a salary of two thousand four hundred dollars per annum; one shorthand reporter at a salary of two thousand seven hundred dollars per annum; one chief clerk at a salary of two thousand four hundred dollars per annum; one chief stenographer at a salary of one thousand five hundred dollars per annum; two stenographers at a salary of one thousand two hundred dollars per annum each; one county detective at a salary of two thousand four hundred dollars per annum, who shall have all the powers of a peace officer as set forth in sections 834 and 836 of the Penal Code, and who shall perform such duties as may be required of him by the district attorney.

The superintendent of schools, one first deputy at a salary of two thousand four hundred dollars per annum; one second deputy at a salary of one thousand five hundred dollars per annum; and an emergency deputy or deputies who shall be paid not to exceed five dollars per diem each; *provided*, that the aggregate pay of said

emergency deputy or deputies shall not exceed two thousand dollars in any one calendar year.

The sheriff, an undersheriff who shall receive a salary of two thousand seven hundred dollars per annum; a chief deputy who shall receive a salary of two thousand one hundred dollars per annum; one deputy sheriff who shall be employed as superintendent of identification who shall receive a salary of two thousand one hundred dollars per annum; one deputy sheriff, who shall be employed as assistant to the superintendent of identification, who shall receive a salary of one thousand nine hundred twenty dollars per annum; four deputy sheriffs for service in the field who shall receive a salary of one thousand nine hundred twenty dollars per annum each; one motor boat deputy who shall receive a salary of one thousand nine hundred twenty dollars per annum; four jailers who shall receive a salary of one thousand seven hundred forty dollars per annum each; three bailiffs or courtroom deputies who shall receive a salary of one thousand six hundred eighty dollars per annum each; one bookkeeper and clerk who shall receive a salary of one thousand six hundred eighty dollars per annum; two stenographers who shall receive a salary of one thousand five hundred dollars per annum each.

The coroner, one deputy who shall be paid by the coroner out of his fees.

The county assessor shall have one chief deputy at a salary of two thousand seven hundred dollars per annum; one draftsman at a salary of two thousand seven hundred dollars per annum; one chief office deputy at a salary of two thousand one hundred dollars per annum; two office deputies at a salary of one thousand eight hundred dollars per annum each; one stenographer and copyist at a salary of one thousand five hundred dollars per annum; one utility and valuation deputy for inside work who shall serve not to exceed one hundred fifty days in any one calendar year and for which service he shall be paid at the rate of five dollars per diem; three deputies to be employed in preparing assessment rolls who shall serve not to exceed one hundred thirty days each in any one calendar year, and be paid therefor at the rate of five dollars per diem each; one deputy to be employed in assessing automobiles and who shall serve not to exceed eighty days in any one calendar year and be paid therefor at the rate of five dollars per diem; two utility and valuation clerks for outside work who shall serve not to exceed eighty days in any one calendar year and be paid therefor at the rate of seven dollars per diem each; *provided, however*, that such deputy shall furnish at his own expense necessary automobile transportation while so employed; three field deputies for service inside the city of Stockton who shall serve not to exceed one hundred days each in any one calendar year and be paid therefor five dollars per diem each; twelve field deputies to be employed in the county outside of the city of Stockton and who shall serve not to exceed eighty days each in any one calendar year and be paid therefor at the rate of seven dollars per diem each; *provided*, that such deputy shall each furnish at his own expense necessary automobile transportation while so employed; and an emergency deputy or deputies, at a salary of five dollars per diem each, which said emergency deputy or deputies shall not receive more than five thousand dollars in the aggregate in any one calendar year.

The county surveyor, one chief deputy who shall be paid a salary of three thousand dollars per annum. One draftsman who shall be paid a salary of two thousand two hundred dollars per annum.

All the deputies, assistants, employees, emergency help and clerks hereinbefore mentioned shall perform in addition to the duties herein enumerated such other duties as their respective principals shall require, and they shall be paid out of the salary fund at the same time and in the same manner as the principals are paid; *provided, however*, that allowances for use of motor vehicle by deputy sheriffs employed as traffic officers shall be made on claims against the county and paid by the board of supervisors as other claims are paid.

18. The salaries, fees, mileage and commissions herein provided shall be in full for all official services performed. No county, district or township officer shall receive from the county any salary, compensation, fees, commission or mileage, except as in this section provided. All compensation, commissions, fees and mileage now or hereafter provided by law to be paid to any county, district or township officer for any official service, except as in this section otherwise provided, shall be paid into the county treasury to the credit of the general fund unless some other fund is especially designated by law. All compensations, fees, commissions, and mileage, except as in this section otherwise provided, received by any county, district or township officer, either as such officer, or as the agent of the State of California, or of any officer thereof or as the agent of any political subdivision of the State of California, or of any officer thereof, shall be paid into the county treasury to the credit of the general fund, unless some other fund is specially designated by law. Until such county, district or township officer shall pay into the county treasury all compensation, commissions, fees and mileage as herein required to be paid, he shall receive no salary, and it shall be the duty of the auditor to refuse to deliver to him thereafter a salary warrant, and it shall be the duty of the treasurer to refuse to pay the same.

19. For attending as a grand juror or as a juror in superior court, for each day's attendance, per day, three dollars. For each mile actually traveled in attending court as a juror in going, only, per mile, twenty-five cents."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 737—An act to amend section 2322r19 of the Political Code, relating to the office of agricultural commissioner in counties of the nineteenth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "nineteenth", and insert in lieu thereof "twenty-fourth".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 739—An act to amend section 16r19 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the nineteenth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

In line 3 of the title of the printed bill, strike out "nineteenth", and insert in lieu thereof "twenty-fourth".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 740—An act to amend section 4248 of the Political Code, relating to compensation of county and township officers in counties of the nineteenth class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4248", and insert in lieu thereof the following: "4253 and to repeal section 4252a".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out "4248", and insert in lieu thereof "4253".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 7, of the printed bill, strike out "4248", and insert in lieu thereof "4253".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 3 of the printed bill, strike out line 40, and insert in lieu thereof the following: "time in his office such additional assistants as may be required to".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 41, of the printed bill, strike out "assistant", and insert in lieu thereof "assistants".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 44, of the printed bill, strike out "assistant", and insert in lieu thereof "assistants".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 6, line 1, of the printed bill, after "13," insert "14,".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 2, of the printed bill, strike out "14", and insert in lieu thereof "15".

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 6, line 13, of the printed bill, strike out "14," and insert in lieu thereof "15".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 6 of the printed bill, after line 26, insert as a new paragraph the following:

"SEC. 4. Section 4252a of the Political Code is hereby repealed."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 267—An act to amend section 19x11 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the eleventh class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "19x11", and insert in lieu thereof "19x14".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "eleventh", and insert in lieu thereof "fourteenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "19x11", and insert in lieu thereof "19x14".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1, of the printed bill, strike out line 3, and insert in lieu thereof the following:

"19x14. In counties of the fourteenth class, there shall be one".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 268—An act amending section 4240 of the Political Code, relating to salaries and compensation of officers in counties of the eleventh class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "4240", and insert in lieu thereof "4243".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "eleventh", and insert in lieu thereof "fourteenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "4240", and insert in lieu thereof "4243".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out line 3, and insert in lieu thereof: "4243. In counties of the fourteenth class, officers shall receive".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 1, line 9, of the printed bill, strike out "three thousand", and insert in lieu thereof "twenty-seven hundred".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 6, line 32, of the printed bill, strike out "eleventh", and insert in lieu thereof "this".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 8 of the printed bill, strike out lines 25 to 33, inclusive, and insert in lieu thereof: "The board of supervisors may provide a suitable office and courtroom, including furniture and telephone, for each justice of the peace in this county and the expense of the same shall be a charge against the county; *provided, however*, the total expense of the office, courtroom, furniture and telephone shall not exceed twenty per cent (20%) of the salary of that justice of the peace for the said fiscal year, and in addition thereto the board of supervisors shall provide, through its purchasing agent, all necessary stationery, books, and printing supplies required by each of the justices of the peace for the proper transaction of the business of his office and the expense of such stationery, books and printed supplies shall be a charge against the county."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 9 of the printed bill, strike out lines 24 to 35, inclusive.

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 9, line 36, of the printed bill, strike out "20", and insert in lieu thereof "19".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 9, line 44, of the printed bill, strike out "21", and insert in lieu thereof "20".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 780—An act to amend section 2322x11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "2322x11", and insert in lieu thereof "2322x14".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "eleventh", and insert in lieu thereof "fourteenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "2322x11", and insert in lieu thereof "2322x14".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof:

"2322x14. In counties of the fourteenth class, the commissioner shall receive a salary of three thousand dollars per annum; *provided*, that in counties of this class, there shall be and there is hereby allowed to the commissioner the following deputies, inspectors and clerks to be appointed by said commissioner, which positions are hereby created and the salaries are hereby fixed as follows, to wit:

(a) Two deputy county agricultural commissioners at a salary of two thousand one hundred dollars, each, per annum.

(b) The commissioner is also authorized and empowered to appoint not to exceed twelve inspectors at a monthly salary of one hundred fifty dollars each during the time actually employed, eleven inspectors at a monthly salary of one hundred thirty dollars each during the time actually employed, thirty-five inspectors at a compensation of four dollars per diem each during the time actually employed, but the aggregate amount which may be expended in any year for all such inspectors shall not exceed sixty-three thousand dollars.

(c) The commissioner is also authorized and empowered to appoint not to exceed two clerks at a monthly salary of one hundred twenty-five dollars each during the time actually employed; one clerk at a monthly salary of one hundred dollars during the time actually employed, but the aggregate amount which may be expended in any year for all such clerks shall not exceed four thousand two hundred dollars."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 781—An act to amend section 16x11 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the eleventh class.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, strike out "16x11", and insert in lieu thereof "16x14".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 3 of the title of the printed bill, strike out "eleventh", and insert in lieu thereof "fourteenth".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 1, line 1, of the printed bill, strike out "16x11", and insert in lieu thereof "16x14".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert in lieu thereof the following:

"Sec. 16x14. The sealer of weights and measures in counties of the fourteenth class shall receive a salary of one hundred seventy-five dollars per month, and deputies shall receive one hundred fifty dollars per month each."

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 268—An act to amend section 2322x34 of the Political Code, relating to the salary and compensation of the agricultural commissioner in counties of the thirty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 377—An act to amend section 2322x16 of the Political Code, relating to the salaries of the county agricultural commissioners, deputies and inspectors in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1812—An act to amend section 19x16 of the Juvenile Court Law, relating to probation officers in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1754—An act to amend section 16x16, Weights and Measures Act, relating to sealers of weights and measures in counties of the sixteenth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1555—An act to amend section 2322x31 of the Political Code, relating to the office of agricultural commissioner in counties of the thirty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1556—An act to amend section 19x31 of the Juvenile Court Law, relating to probation officers in counties of the thirty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1557—An act to amend section 4260 of the Political Code, relating to compensation of county and township officers in counties of the thirty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1558—An act to amend section 16x31 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-first class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1559—An act to amend section 19x34 of the Juvenile Court Law, relating to probation officers in counties of the thirty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1561—An act to amend section 16x34, Weights and Measures Act, relating to sealers of weights and measures in counties of the thirty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1562—An act to amend section 4263 of the Political Code, relating to compensation of county and township officers in counties of the thirty-fourth class.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 57—An act to amend section 4256 of the Political Code, relating to the salaries and fees of county officers in counties of the twenty-seventh class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 3, line 27, of the printed bill, strike out the words "four thousand", and insert in lieu thereof the words "three thousand six hundred".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Assembly Bill No. 374—An act to amend section 4245 of the Political Code, relating to salaries and fees of county and township officers, and organization of townships in counties of the sixteenth class.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4, line 18, of the printed bill, as amended in Assembly March 12, 1931, strike out the words "two thousand four hundred", and insert in lieu thereof the words "one thousand eight hundred".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 387—An act to amend sections 1357, 1359, 1361 and 1362 of the Political Code, relating to absent voters.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 387 passed by the following vote:

AYES—Senators Baker, Breed, Cassidy, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Ingels, Inman, Jones, Maloney, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Slater, Treacy, Tubbs, Wag, and Williams—25.

NOES—Senators Bush, Carter, Deuel, Harper, Hays, McCormack, McKinley, and Schottky—8.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 329—An act to revise the title and to amend sections 2, 3, 4, 5, 6, and 9 of chapter 847, Statutes of 1927, known as the California Apiary Inspection Act, approved May 31, 1927, as amended.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 329 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Wag, and Williams—34.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 273—An act to add a new section to the Political Code of the State of California to be numbered 3476a, relating to the cancellation by the trustees of assessments or portions of assessments levied by reclamation districts on the lands within said districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 273 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wag—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 654—An act to amend section 3265g of the Civil Code, relating to stopping payment of checks.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 654 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney,

McCormack, McKinley, Mixer, Moran, Pedrotti, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 728—An act to add a new section to the Political Code, to be numbered 440, relating to the issuance of warrants and the duties and obligations of the Controller and other persons in relation thereto.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 728 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Rich, Riley, Schottky, Slater, Treacy, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION TO WITHDRAW SENATE BILL.

Senator Fellom moved that Senate Bill No. 175, as amended in committee, be withdrawn from the Committee on Public Health and Quarantine, and placed on third reading file.

SENATOR CHRISTIAN IN THE CHAIR.

At twelve o'clock and nine minutes p.m., Senator Christian of the Thirteenth District was called to the chair.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Fellom, Tubbs and Moran on Senator Fellom's motion to withdraw Senate Bill No. 175 from Committee on Public Health and Quarantine, and placed on third reading file.

The roll was called and Senator Fellom's motion to withdraw Senate Bill No. 175 from Committee on Public Health and Quarantine, and placed on third reading file, carried by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Fellom, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, and Williams—28.

NOES—Senators Clock, Evans, Harper, Hays, Nelson, and Waggy—6.

Senate Bill No. 175 ordered on third reading file.

CONSIDERATION OF SENATE BILL NUMBER ONE HUNDRED SIXTY-EIGHT.

Senator McKinley asked for, and was granted, unanimous consent to consider Senate Bill No. 168, heretofore set as a special order for two o'clock p.m., Wednesday, April 8, for purpose of amendment.

CONSIDERATION OF DAILY FILE.

SPECIAL ORDER.

Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to congressional districts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During the third reading of the bill, Senator Maloney moved to refer Senate Bill No. 168 to Senator Fellom, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, as amended in the Senate on April 2, 1931, after the word "the", insert the word "twenty-sixth".

AMENDMENT NUMBER TWO.

On page 1, line 16, of the printed bill, as amended in the Senate on April 2, 1931, strike out the word "twenty-sixth".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 168, with instructions to amend, respectfully reports the same back, amended as per instructions.

FELLOM, Committee.

Report read, and on motion of Senator Maloney adopted.

Bill ordered to print and re-engrossment.

RUSH ORDER TO PRINTER.

On motion of Senator McKinley, the Secretary was directed to issue a rush order for printing Senate Bill No. 168.

RE-REFERENCE OF ASSEMBLY BILL NUMBER FIVE HUNDRED TWENTY-FOUR.

Senator Nelson moved that Assembly Bill No. 524 be withdrawn from Committee on Revenue and Taxation, and re-referred to Committee on Irrigation.

Motion carried, and such was the order.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 1212—An act to amend an act entitled "An act to reserve all minerals in State lands; to provide for examination, classification and report on the mineral and other character of State lands; to provide for the granting of permits and leases to prospect for and take any such minerals; to provide for the rents and royalties to be paid, and granting certain preference rights; to provide for the making of rules, regulations and contracts necessary to carry out the purposes of this act; and repealing acts or parts of acts in conflict herewith; providing for an appropriation to defray the cost of administering this act," as approved May 25, 1921, and as amended June 1, 1923, January 17, 1929, and May 28, 1929, by amending the title and sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 17, 18, 19 and 20 thereof, and by repealing sections 17a, 18a, 23, 24 and 25 thereof.

On motion of Senator Duval, Assembly Bill No. 1212 was ordered re-referred to Committee on Oil Industries.

MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NUMBER NINETEEN.

Senator Duval moved that Assembly Joint Resolution No. 19 be withdrawn from Committee on Agriculture and Live Stock, and placed on file.

Motion carried.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NUMBER NINETEEN.

Senator Cassidy asked for, and was granted unanimous consent for the consideration of Assembly Joint Resolution No. 19, at this time, for purpose of adoption.

ASSEMBLY JOINT RESOLUTION No. 19.

Relative to memorializing the Federal Tariff Commission to impose a tariff on Chinese dried eggs.

WHEREAS, There was imported into the United States last year from China the equivalent of over 60,000,000 dozens of eggs, most of which found market in California; and

WHEREAS, That fact is resulting in irreparable injury to the great poultry industry of this State, a reduction of a quarter of a million tons in consumption of poultry feed, the product of nearly half a million acres of land, a loss of more than \$1,000,000 in freight to the carriers of California, and incalculable loss to labor in our State; and

WHEREAS, Said dried eggs are produced at a cost of 3 to 5 cents per dozen under conditions not up to our American sanitary or living standards, and therefore their sale in this country tends to reduce the standard of living of the American people; and

WHEREAS, This deplorable situation is made possible by the fact that said dried Chinese eggs pay a duty of less than 2½ cents per dozen; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly. That the Federal Tariff Commission impose upon said Chinese dried eggs such tariff as will adequately protect this great American industry and the labor dependent upon it: and be it further

Resolved. That the Governor of California be respectfully requested to forward a true copy of this resolution to the Federal Tariff Commission at Washington, D. C., not later than April 10, 1931.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and Assembly Joint Resolution No. 19 adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, and Wagye—32.

NOES—None.

Title read and approved.

Assembly Joint Resolution No. 19 ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 8—An act to amend section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class, increasing the number of judges thereof—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—18; committee vote: Ayes—16, absent—2.

SWING, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 8 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 4, of the printed bill, strike out "fifty", and insert in lieu thereof "forty-six".

AMENDMENT NUMBER TWO.

On page 1, line 10, of the printed bill, strike out "twenty-six", and insert in lieu thereof "twenty-four".

AMENDMENT NUMBER THREE.

On page 1, line 19, of the printed bill, strike out "twelve", and insert in lieu thereof "eight".

AMENDMENT NUMBER FOUR.

On page 1, line 25, of the printed bill, strike out "twelve", and insert in lieu thereof "eight".

Bill ordered to print, and re-referred to Committee on Finance.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:

By Senator Pedrotti:

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 31, relating to the exclusion of certain employees.

Request referred to Committee on Rules.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 141—An act to amend section 1 of chapter 286, Statutes of 1927, entitled "An act authorizing the Department of Finance to appropriate waters in connection with the utilization and conservation of the water resources of the State in the development of a general or coordinated plan; authorizing the State Department of Finance to release or assign such appropriations; authorizing the State Department of Finance to request other departments of the State or State officers to furnish service or assistance to make investigations in connection with the development of a general or coordinated plan for the utilization or conservation of the water resources of the State," approved April 29, 1927, relating to appropriation of waters by the State Department of Finance.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 141 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fillom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Waggy—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1035—An act to amend section 5.742 of the School Code, relating to the payment of teachers.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1035 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Slater, Treacy, Tubbs, and Wagy—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 465—An act to amend section 2.801 of the School Code, relating to the liability of boards of school trustees, and to add a new section to the School Code, to be numbered section 2.990, providing for insurance by school districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 465 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Rich, Schottky, Slater, Treacy, Tubbs, and Wagy—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

USE OF SENATE CHAMBER GRANTED.

Senator Ingels asked for, and was granted, unanimous consent for the use of the Senate Chamber for Wednesday evening, April 8, 1931, at eight o'clock p.m., by the Committee on Public Morals to consider bills before that committee.

ADJOURNMENT.

At one o'clock and ten minutes p.m., on motion of Senator Breed, the Presiding Senator declared the Senate adjourned until eleven o'clock a.m., Wednesday, April 8, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Wednesday, April 8, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Cleveland, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—38.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, April 7, 1931, the further reading was dispensed with, on motion of Senator Slater.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Pedrotti, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Mary De Villa, assistant probation officer of Los Angeles County.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to I. A. Richardson of San Francisco, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Hon. James B. Davidson, superintendent of schools of Marin County, and Mrs. Davidson.

On request of Senator Swing, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Dorothy Shea and Miss Alta Shea.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Supervisor Blair Hart, Frank Donovan of Petaluma, and Mr. and Mrs. Robert Testorelli of Santa Rosa.

On request of Senator Inman, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Granite Grammar School at Folsom, Lora F. Moore, teacher, and pupils as follows: Beatrice Field, Margaret Perry, Phyllis Weinerick, William Bathurst, Arthur Berg, John Biggs, Irving Frates, Clifford Gillet, Kenneth Glenn, Raleigh Hullet, Lloyd Jorgensen, Norvin Kyburz, Clifford Rizer, Velma Burnett, Katherine Couts, Irene Neasham, Joyce Russi, Willard Egloff, Moran Field, Barnett Huse, Philipp Isaminger, Donald Jorgensen, Gene Kipp, Jack Price, Jackson Tueter, Bill Vance and Violet Dugan.

On request of Senators Breed and Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. R. E. Longley of Oakland, and Mrs. A. F. Coffin of Oakland; also the Hayward Union High School, Arthur M. Main, teacher, Mrs. Doris T. Main, and students as follows: Frank Eicher, Jr., Harry Fisher, John Due, Clarence Glassbrook, Harold Nor, Mark Goodson, George Popora, Charles Mann, Walter Linden, Paul Weitzel, Laurie Davison, Alice Talmon, Gilda Mancini, Mabel Fendell, Nancy Pitkanen, George Phillips and Jack La Jennesse.

On request of Senator Deuel, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Shasta Union School, Mrs. Elizabeth C. Butterway, principal, and Mrs. Ella C. Sapp, teacher, and pupils as follows: James Roberts, Glenivan Crenshaw, Robert Anderson, Walter Findlay, Melvin Findlay, Arthur Stosche, Rollo Parker, Melvin Harrington, Jay Garner, Leonard Spesert, Willard Small, Maney German, Arthur Wells, Thomas Day, Ronald Evans, Robert Hennigan, Homer North, Ralph Maxwell, Earl Bennett, Clifford Kelly, Dean Nieland, Fred Stahl, Edith Picchi, Ruby Roller, Beatrice De Bock, Clarine Keene, Julia Wells, Bernice Williamson, Eva William-

son, Clara De Garmo, Mary McHenry, Daisy Hawkins, Madeline Kesterson, Marjorie Kesterson, Ruth Pelko, Bessie McHenry and Grace Lucas; and Mr. Robert Shirley.

On request of Senators Breed and Christian, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Joseph Shoeny of San Francisco, Mrs. William A. Rafael of San Francisco, Sister Mary Clara, Sister Olga of the Cross, Sister Mary Marcie, Sister Mary Dara, Sister Angela Clare, Sister Mary Mercy, Sister Christina Marie and Sister Bernadette Marie, Sisters from Our Lady of Lourdes, of Oakland.

On request of Senator Evans, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Irene M. Moffat of Los Angeles, representing Los Angeles City Teachers Club.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1351—An act to add a new section to the Political Code, to be numbered 3627b, relating to notice of increase in assessed value of property;

Also: Assembly Bill No. 1059—An act to amend section 7 of chapter 21, Statutes of 1883, entitled "An act to establish and support a Bureau of Labor Statistics," approved March 3, 1883, as amended, relating to the powers and duties of the commissioner and providing penalties for violation of the said section;

Also: Assembly Bill No. 130—An act to add a new section, to be numbered 383b to the Penal Code, relating to the sale of kosher meats and meat preparations, and kosher food, defining the word "Kosher" and providing penalties for the violation thereof;

Also: Assembly Bill No. 4—An act granting certain tidelands and submerged lands of the State of California to the city of Huntington Beach upon certain trusts and conditions;

Also: Assembly Bill No. 807—An act to amend section 10 of chapter 69 of the Statutes of 1929, entitled "An act to provide for the leasing by the State of California of certain tide and submerged lands; to provide the terms, conditions, purposes, and restrictions of, and preference rights to, leases thereof," approved April 9, 1929;

Also: Assembly Bill No. 685—An act authorizing the Department of Finance to convey by deed certain tidelands belonging to the State of California situated in the county of San Diego, State of California;

Also: Assembly Bill No. 236—An act to amend section 5 of an act entitled "An act to provide for the issuance of improvement bonds to represent and be secured by certain assessments made for the cost of certain work and improvements made in and upon streets, avenues, lanes, alleys, courts, places and sidewalks within municipalities and upon property and rights of way owned by municipalities, to provide for the collection of such assessments, the sale of the property affected thereby and for the payment of the bonds so issued," approved June 11, 1915, Statutes of 1915, page 1441.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 1351 read first time, and referred to Committee on Revenue and Taxation.

Assembly Bill No. 1059 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 130 read first time, and referred to Committee on Public Health and Quarantine.

Assembly Bills Nos. 4, 807 and 685 read first time, and referred to Committee on Commerce and Navigation.

Assembly Bill No. 236 read first time, and referred to Committee on Municipal Corporations.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 942—An act authorizing suits against the State to quiet title against it to real property purchased under the provisions of an act entitled "An act to survey and dispose of certain marsh and tidelands belonging to the State of California," approved March 30, 1868, or any of the acts supplementary thereto and amendatory thereof, and regulating the procedure therein.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 942 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 274—An act to amend chapter 350, Statutes of 1907, entitled "An act to regulate the conduct of election campaigns, and repealing an act entitled 'An act to promote the purity of elections by regulating the conduct thereof, and to support the privilege of free suffrage by prohibiting certain acts and practices in relation thereto, and providing for the punishment thereof,' approved February 23, 1893," approved March 19, 1907, as amended, by adding thereto a new section designated section 2½, excluding from the operation of said act candidates for certain offices;

Also: Assembly Bill No. 1625—An act for the protection of the public and the prevention of fraud, prescribing penalties for misdirecting hotel guests;

Also: Assembly Bill No. 27—An act to amend section 1859 of the Civil Code, relating to the liability of innkeepers, hotel keepers, furnished apartment house keepers, furnished bungalow court keepers and boarding house or lodging house keepers;

Also: Assembly Bill No. 32—An act to amend section 791 of the Civil Code, relating to the right of reentry by grantor or lessor;

Also: Assembly Bill No. 33—An act to amend section 943 of the Code of Civil Procedure, relating to undertakings to stay execution on appeal;

Also: Assembly Bill No. 818—An act providing for the recovery of damages by persons bitten by dogs and creating a liability of the owners of such dogs;

Also: Assembly Bill No. 941—An act authorizing suits against the State of California concerning the use and occupation of and the title to the real property described in an act entitled "An act to provide for the disposition of certain property of the State of California," passed March 26, 1851, and purchased under the provisions of an act entitled "An act to provide for the sale of the interest of the State of California within the water line front of the city of San Francisco, as defined in and by the act entitled 'An act to provide for the disposition of certain property of the State of California, passed March 26, 1851,' passed May 18, 1853," and of an act entitled "An act supplementary to and amendatory of 'An act to provide for the sale of the interests of the State of California, within the water line front of the city of San Francisco, as defined in and by the act entitled 'An act to provide for the disposition of certain property of the State of California,' passed March 26, 1851,' passed May 18, 1853,' approved May 1, 1855, or any of the acts supplementary thereto and amendatory thereof, and regulating procedure therein.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Assembly Bill No. 274 read first time, and referred to Committee on Elections.

Assembly Bills Nos. 1625, 27, 32, 33, 818 and 941 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Bill No. 1044—An act providing for the granting of franchises in counties, cities and counties, cities or towns for the disposal or destruction, or both, of garbage and other waste;

Also: Assembly Bill No. 1054—An act to amend section 1, as amended, of the act entitled "An act to make available for the use of the United States Government suitable places in this State for the public defense, and for that purpose authorizing any county or municipal corporation now or hereafter organized to incur indebtedness, issue negotiable bonds, levy taxes to pay the principal and interest thereon,

acquire by condemnation or otherwise land within the county or municipal corporation, and in consideration of the benefits to be derived therefrom by such county or municipal corporation to convey the same to the United States; conferring on such counties and municipal corporations the power of eminent domain for the purposes of this act, and providing the procedure therefor; granting the consent of the State to such conveyance, and ceding exclusive jurisdiction to the United States over the lands so conveyed," approved May 27, 1921, by conferring on any county, city and county, or municipal corporation now or hereafter organized, the power to acquire land within or without the county, city and county, or municipal corporation, and to convey the same to the United States;

Also: Assembly Bill No. 525—An act to add a new section to the School Code to be numbered 4.353, relating to orders upon school district funds;

Also: Assembly Bill No. 480—An act to amend section 627 of the Penal Code, relating to trespass.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 409—An act to amend sections 1, 9 and 13 of chapter 426, Statutes of 1915, entitled "An act to insure the better education of dental surgeons and to regulate the practice of dentistry in the State of California, providing penalties for the violation hereof," approved May 21, 1915, as amended, relating to license fees and the issuance, suspension and revocation of licenses.

ARTHUR A. OHNIMUS, Chief Clerk.
By A. W. ENGELKE, Assistant Clerk.

Senate Bill No. 409 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1913—An act concerning the completion of unfinished public buildings now in process of construction by this State, permitting alterations of and additions to the original plans for the construction thereof, and permitting the execution of contracts for the construction thereof and for the purchase of materials for use therein without publishing notice of such work and without calling for or receiving bids therefor, declaring the urgency thereof and providing that this act shall take effect immediately.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY BILL NUMBER ONE THOUSAND
NINE HUNDRED THIRTEEN.

Senator Fellom asked for, and was granted, unanimous consent for the consideration of Assembly Bill No. 1913, without reference to committee.

CASE OF URGENCY.

RESOLUTION.

The following resolution was offered:

By Senator Fellom:

Resolved, That Assembly Bill No. 1913 presents a case of urgency, as that term is used in section 15 of article IV of the constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Trency, Tubbs, Waggy, and Williams—32.

NOES—None.

Whereupon, the President declared the provisions of section 15 of article IV of the constitution suspended for the purpose of considering, at this time, Assembly Bill No. 1913.

SECOND READING OF ASSEMBLY BILL NUMBER ONE THOUSAND NINE
HUNDRED THIRTEEN.

Assembly Bill No. 1913—An act concerning the completion of unfinished public buildings now in process of construction by this State, permitting alterations of and additions to the original plans for the construction thereof, and permitting the execution of contracts for the construction thereof and for the purchase of materials for use therein without publishing notice of such work and without calling for or receiving bids therefor, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered on file for third reading.

URGENCY CLAUSE.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of section 10, article IV of the constitution of California and shall take effect immediately.

The facts constituting such necessity are as follows:

The State originally drew plans for the construction of a State Building at Los Angeles. However, owing to a lack of sufficient funds, a portion of the building, known as wings, was temporarily omitted from the original plans and contracts were let for the construction of the main portion of the building, with the intention that subsequently and as soon as funds should become available therefor said wings would be added to the building. Subsequently, and heretofore, a sum in excess of \$600,000 has been appropriated for the construction and completion of the building, including said wings, in accordance with the original plans.

Inasmuch as the building is in course of construction, a saving of approximately \$200,000 to the State can be effected if the State can at once proceed with the completion of the entire building in accordance with the original plans, as is authorized by this act, a saving which can not be effected if such work of completion is delayed by following the procedure prescribed therefor by existing provisions of law or if this act does not take effect immediately.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Baker, Breed, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Waggy, and Williams—31.

NOES—None.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1913 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tabbs, Waggy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF ASSEMBLY BILL NUMBER THREE HUNDRED ONE.

Senator McKinley asked for, and was granted unanimous consent, to consider Assembly Bill No. 301 heretofore set as a special order for Wednesday, April 8, at two o'clock p.m., for purpose of amending.

Assembly Bill No. 301—An act to amend section 78 of the Political Code, relating to Senatorial and Assembly districts.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Cassidy moved to refer Assembly Bill No. 301 to Senator Waggy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 47, line 5, of the printed bill, insert at the end of the line the following: "Sierra".

AMENDMENT NUMBER TWO.

On page 47, line 9, of the printed bill, strike out the following: "Sierra, Nevada,".

AMENDMENT NUMBER THREE.

On page 47, line 13, of the printed bill, insert at the end of the line the following: "Nevada,".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 301, with instructions to amend, respectfully reports the same back, amended as per instructions.

WAGGY, Committee.

Report read, and on motion of Senator Cassidy adopted.

Bill ordered to print.

RUSH ORDER TO PRINTER.

On motion of Senator McKinley, the Secretary was directed to issue a rush order for printing Assembly Bill No. 301.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Finance, to which was referred Senate Bill No. 926—An act making an appropriation for the purchase of an aeroplane for the use of the Governor of California;

Also: Senate Bill No. 260—An act to add a new part to division V of the School Code to be known as part VI, embracing sections 5.1200 to 5.1470, both inclusive, providing for the establishment and creation of the California State Teachers' Retirement system, the creation and establishment of a board to manage and operate said system, for contributions from teachers and the State of California for the operation and maintenance of said system; and to repeal part IV of division V of the School Code, embracing sections 5.800 to 5.1083, both inclusive; chapter 62 of the Statutes of 1929 entitled "An act relating to the retirement of teachers in schools for the blind, schools for the deaf and in special classes maintained for the deaf, the hard of hearing, the blind, or the semisighted," approved April 6, 1929; and chapter 887 of the Statutes of 1929 entitled "An act relating to retirement salaries of teachers and other employees employed in the public schools of this State and educational institutions supported in whole or in part by the State," approved June 19, 1929;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—18; committee vote: Ayes—17; absent—1.

SWING, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 926 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, insert after "purchase", the following: "maintenance and operation".

AMENDMENT NUMBER TWO.

On page 1, line 3, of the printed bill, insert in the blank before the word "dollars", the following: "seventy-eight thousand".

AMENDMENT NUMBER THREE.

On page 1, line 3, of the printed bill, insert after "purchase", the following: ", maintain and operate".

Bill ordered to print, and re-referred to Committee on Finance.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Finance, the following amendments to Senate Bill No. 260 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2, line 14, of the printed bill, as amended in Senate March 20, 1931, after the word "person", insert the following: "who is not under any other state retirement system and".

AMENDMENT NUMBER TWO.

On page 2, line 30, of the printed bill, as amended in Senate March 20, 1931, beginning in said line 30, strike out the following: "and who are not under any other state retirement system".

AMENDMENT NUMBER THREE.

On page 4, line 39, of the printed bill, as amended in Senate March 20, 1931, strike out the following: "on the same", and strike out all of lines 40 to 42, both inclusive, and insert in lieu thereof the following: "and of electing, at the time of becoming members, to continue to pay only the contribution at the rate of twelve dollars per annum and to receive on separation or retirement from service only the benefits which would have been allowable under the former state fund, notwithstanding anything to the contrary in this part."

AMENDMENT NUMBER FOUR.

On page 6, line 45, of the printed bill, as amended in Senate March 20, 1931, after the word "has", insert the word "not".

AMENDMENT NUMBER FIVE.

On page 7, line 25, of the printed bill, as amended in Senate March 20, 1931, strike out the word "actual", and insert in lieu thereof the word "actuarial".

AMENDMENT NUMBER SIX.

On page 7, line 25, of the printed bill, as amended in Senate March 20, 1931, strike out the word "in", and insert in lieu thereof the word "at".

AMENDMENT NUMBER SEVEN.

On page 17, line 5, of the printed bill, as amended in Senate March 20, 1931, strike out the word "all", and insert in lieu thereof the word "the".

AMENDMENT NUMBER EIGHT.

On page 4, line 12, of the printed bill, as amended in Senate March 20, 1931, strike out the number "1931", and insert in lieu thereof the number "1932".

AMENDMENT NUMBER NINE.

On page 11, line 13, of the printed bill, as amended in Senate March 20, 1931, strike out the number "1935", and insert in lieu thereof the number "1936".

AMENDMENT NUMBER TEN.

On page 11, line 19, of the printed bill, as amended in Senate March 20, 1931, strike out the number "1932", and insert in lieu thereof the number "1933".

AMENDMENT NUMBER ELEVEN.

On page 11, line 19, of the printed bill, as amended in Senate March 20, 1931, strike out the number "1933", and insert in lieu thereof the number "1934".

AMENDMENT NUMBER TWELVE.

On page 11, line 20, of the printed bill, as amended in Senate March 20, 1931, strike out the number "1934", and insert in lieu thereof the number "1935".

AMENDMENT NUMBER THIRTEEN.

On page 12, line 49, of the printed bill, as amended in Senate March 20, 1931, strike out the number "1934", and insert in lieu thereof the number "1935".

AMENDMENT NUMBER FOURTEEN.

On page 16, line 13, of the printed bill, as amended in Senate March 20, 1931, strike out the number "1932", and insert in lieu thereof the number "1933".

AMENDMENT NUMBER FIFTEEN.

On page 21, line 38, of the printed bill, as amended in Senate March 20, 1931, beginning with said line 38, strike out all of lines 38 to 51, both inclusive.

AMENDMENT NUMBER SIXTEEN.

On page 10, line 21, of the printed bill, as amended in Senate March 20, 1931, after said line 21, insert the following:

"5.1301. When any teacher retired under the former state fund, or retired under chapter 694 of the statutes of 1913 entitled "An act to provide for the payment of retirement salaries to public school teachers of this state; creating a public school teachers' retirement salary fund, and also a public school teachers' permanent fund, providing for the administration of such funds, and making an appropriation for the uses of said funds," approved June 16, 1913, and acts amendatory thereof; or retired under chapter 166 of the statutes of 1895, entitled "An act to create and administer a public school teachers' annuity and retirement fund in the several counties, and cities and counties, of the state", approved March 26, 1895, and acts amendatory thereof; elects, by written notice to the board of retirement, to receive annually a pension equal to ----- dollars for each year of service for which he was given credit when so retired, not in excess of thirty years, such teacher shall receive such pension from and after the date upon which such notice was received by the board of retirement, to be paid out of the pension accumulation fund created by this act."

Bill ordered to print, and re-referred to Committee on Finance.

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Rules to which was referred the request of Senator Pedrotti to introduce a bill entitled: An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 3½, relating to the exclusion of certain employees—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—34.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following bill was introduced:

By Senator Pedrotti: Senate Bill No. 944—An act to amend an act entitled "An act to authorize the counties of the State of California to establish retirement systems for their employees," approved May 20, 1919, by adding a new section thereto to be designated section 3½, relating to the exclusion of certain employees.

Bill read first time, and referred to Committee on Governmental Efficiency.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 137—An act to amend section 157 of the Code of Civil Procedure, relating to the qualifications of superior judges;

Also: Senate Bill No. 233—An act to amend sections 3 and 5 of chapter 753, Statutes of 1927, entitled "An act to establish the California State Historical Association, relative to providing for the appointment of a board of trustees for said association, and making an appropriation for its support during the seventy-ninth and eightieth fiscal years," approved May 25, 1927;

Also: Senate Bill No. 416—An act to provide for the standardization of cement-concrete pipe sold for irrigation purposes;

Also: Senate Bill No. 577—An act defining the obligations of any person, company, association or corporation owning or operating any railroad or railway track or tracks upon public highways, roads, streets, avenues, boulevards, lanes, alleys, courts, places, public ways, or other property or rights of way of the public in connection with paving, repaving, repairing, macadamizing, remacadamizing or otherwise improving thereof; requiring any such person, company, association or corporation to restore pavements disturbed by it and to put its track and track structures in good operating condition; superseding all acts inconsistent therewith and repealing all other acts and parts of acts in conflict therewith;

Also: Senate Bill No. 701—An act to amend sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29 and to repeal sections 20a and 24a and to add sections 30, 31, 32, 33, 34, 35, 36, 37, 38 and 39 to an act entitled "An act providing for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities, providing for the enforcement of said act and penalties for the violation thereof; and creating a State Corporation Department and the office of 'Commissioner of Corporations,' " approved May 18, 1917, as amended, relating to the Division of Corporations, the regulation and supervision of companies, brokers, agents, investment counsel and sales of securities, and the prevention of fraud in the sale of securities;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 732—An act to amend sections 2, 3, 4, 6, 7, 8, 9, 10, 11 and 12 of, and to add new sections numbered 9a and 10a, to chapter 791, Statutes of 1929, entitled "An act providing for the registration of contractors, and defining the term contractors; providing the method of obtaining licenses to engage in the business of contracting, and fixing the fees for such licenses; providing the method of suspension and cancellation of such licenses; and prescribing the punishment for violation of the provisions of this act," approved June 13, 1929, relating to the powers and duties of the registrar of contractors and proceedings for revocation of licenses;

Also: Senate Bill No. 831—An act to amend sections 4,360, 4,361, 4,362, 4,365, 4,366, 4,372 and 4,440 of the School Code, and to add thereto new sections to be numbered 4,374, 4,375 and 4,376; to repeal chapter IV, embracing sections 4,460 to 4,501, both inclusive, chapter V, embracing sections 4,510 to 4,520, both inclusive, chapter VI, embracing sections 4,530 to 4,582, both inclusive, chapter VII, embracing sections 4,590 to 4,626, both inclusive, of part III of division IV of the School Code; to repeal section 4,441 and sections 4,450 to 4,455, both inclusive, of the School Code; to repeal chapter 397 of the Statutes of 1929 entitled "An act relating to maximum rates of tax for school district purposes," approved May 22, 1929;

Also: Senate Bill No. 933—An act to amend sections 4041.21 of the Political Code, relating to the powers of boards of supervisors;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 342—An act to amend section 750 of the Code of Civil Procedure, relating to the issuance and publication of summons in actions to determine conflicting claims to real property—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 183—An act to amend the Civil Code by adding a new section to be numbered 356a, relating to the employment of attorneys by corporations and the practice of law by corporations—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—8; noes—4; absent—5.

CHRISTIAN, Chairman.

Senate Bill No. 183 ordered on file for second reading.

ON REVISION OF CRIMINAL LAW AND PROCEDURE.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Committee on Revision of Criminal Law and Procedure, to which was referred Assembly Bill No. 151—An act to amend sections 1205 and 1446 of the Penal Code, relating to judgments directing imprisonment for satisfaction of fines and providing for payment of fines within a limited time or in installments in certain cases—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—9; committee vote: Ayes—5; absent—4.

ROCHESTER, Chairman.

Assembly Bill No. 151 ordered on file for second reading.

ON ROADS AND HIGHWAYS.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 578—An act to amend the title of and to revise that certain act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that it do pass as amended.

Committee membership—14; committee vote: Ayes—10; absent—4.

EDWARDS, Chairman.

Senate Bill No. 578 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Roads and Highways, to which was referred Senate Bill No. 7—An act making an appropriation to pay any assessment that may be imposed against the State of California under the provisions of an act entitled "An act providing for the creation, organization and government of joint highway districts composed of two or more counties of the State of California," approved April 5, 1917, and amendments thereto—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass, and be re-referred to the Committee on Finance.

Committee membership—13; committee vote: Ayes—11; absent—2.

EDWARDS, Chairman.

Senate Bill No. 7 ordered re-referred to Committee on Finance.

REQUEST FOR PERMISSION TO INTRODUCE A BILL.

The following request for permission to introduce a bill was presented:
By Senator Inman:

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: In accordance with the provisions of section 2, article IV of the constitution, I request permission to introduce a bill, the title of which is set forth below:

An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

Request referred to Committee on Rules.

REPORT OF COMMITTEE ON FREE CONFERENCE.

The following report of the Committee on Free Conference was received and read:

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Committee on Free Conference concerning Senate Bill No. 317. An act to amend section 14 and section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," as amended, relating to bridge and highway districts; and declaring this act to be an urgency measure—reports that it has met a like committee of the Assembly, consisting of Assemblymen Reinollar, Scudder and Biggar, and reports that the Committee on Free Conference has agreed to recommend the following: That the Senate concur in the Assembly amendments, and that the bill be further amended as follows:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, after the word "of", insert the word "highways."

AMENDMENT NUMBER TWO.

On page 1, line 1, of the printed bill, strike out the figures "21", and insert "14".

AMENDMENT NUMBER THREE.

On page 1, line 5, of the printed bill, after the word "of", insert the word "highways."

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, between lines 11 and 12, insert the following:

"Sec. 14. The board of directors shall in the month of July of each year determine the amount necessary to be raised by taxation, and shall fix a rate of taxes to be levied which will raise the amount of money required by the district, not exceeding, however, the rate of ten cents on each one hundred dollars of assessed valuation when the purpose of such taxes is to supply funds for investigating the project prior to the issuance of bonds and the payment of the officers and employees of the district prior to the time when the works of the district are earning revenue; *provided, however,* that all running expenses of the district prior to the time the works of the district are earning revenue, being a part of the cost of constructing and/or acquiring the works, may be paid from the proceeds of the bonds, and within a reasonable time previous to the time when the boards of supervisors are required by law to fix their tax rates, to certify to the boards of supervisors of each county within the district, or having a portion of its territory within the district, the rates so fixed with a direction that at the time and in the manner required by law for the levying of taxes for county purposes such board of supervisors shall levy and collect a tax in addition to such other tax as may be levied by such board of supervisors at the rate so fixed and determined, and it is made the duty of the officer or body having authority to levy taxes within each county or city and county to levy the tax so required, and it shall be the duty of all county or city and county officials charged with the duty of collecting taxes to collect such taxes in the time, form and manner as county or city and county taxes are collected, and when collected to pay the same to the district ordering its levy and collection, and such payments shall be made through the secretary of the district, and paid into the depository thereof, or into the state treasury to the credit of the district. Such taxes shall be a lien upon all property within the territory comprising the district, and of the same force and effect as other liens for taxes, and their collection may be enforced by the same means as provided for the enforcement of liens for county taxes; *provided,* that no taxes shall be levied by the board under the provisions of this section for the purpose of carrying out new projects after the original project for which the district was formed has been completed."

AMENDMENT NUMBER FIVE.

On page 1 of the printed bill, after the last amendment to be inserted between lines 11 and 12, insert the following:

"SEC. 2. Section 21 of said act is hereby amended to read as follows:"

AMENDMENT NUMBER SIX.

On page 2, lines 22 to 39, of the printed bill, strike out, commencing with the words in line 22 reading "If the completion of construction of the works", and ending with the word "interest", in line 39, and insert the following: "If during the month of July next preceding the expiration of the period so estimated for the construction of the works it shall appear to the board of directors that the construction of the works is likely to be delayed beyond the period so estimated the board shall estimate the period of such delay and cause a tax to be levied and collected in the manner

provided in section 14 hereof sufficient to produce the amount required to pay one year's interest on the bonds or, if such estimated period of delay shall be less than one year, the amount required to pay the interest which will accrue on the bonds during such estimated period of delay, and provided, further, that the amount of such tax shall be reduced to the extent that the district has funds on hand and available for the purpose of paying such interest."

AMENDMENT NUMBER SEVEN.

On page 4, line 2, of the printed bill, strike out the period, and insert a semicolon, and also insert the following: "*provided, however*, that until the construction of the works is completed it shall not be necessary to levy a tax to provide for repairs and depreciation of the works."

AMENDMENT NUMBER EIGHT.

On page 4, line 49, of the printed bill, strike out the word and figure "Sec. 2", and insert in lieu thereof "Sec. 3".

SLATER,
TUBBS,
RILEY.

Senate Committee on Free Conference.

REINDOLLAR,
SCUDDER,
BIGGAR,

Assembly Committee on Free Conference.

The question being on the adoption of the report of Committee on Free Conference, and amendments.

The roll was called, and the report and amendments adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellow, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—35.

NOES—None.

Senate Bill No. 317 and the report of Committee on Free Conference ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES —(RESUMED).

The following report of standing committee was received and read:

ON RULES.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Rules, to which was referred the request of Senator Inman to introduce a bill entitled—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such associations, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith—has had the same under consideration, and respectfully reports the same back, and recommends that said request be granted.

Committee membership—5; committee vote: Ayes—5.

BREED, Chairman.

The question being on the adoption of the report.

The roll was called in accordance with the provisions of section 2 of

article IV of the constitution, and the report adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—33.

NOES—None.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS—(RESUMED).

The following bill was introduced:

By Senator Inman: Senate Bill No. 945—An act to define building and loan associations and to regulate them and their organization, business, operation, consolidation and liquidation, and (without limiting the generality of the foregoing) also to do the following: to define and regulate the agents, salesmen and collectors of such associations, and to regulate their officers, directors and employees; to define, authorize, and regulate the issuance of, shares, stock and investment certificates of such associations, and to prescribe the rights, remedies and liabilities of holders thereof, and to make such investment certificates legal investments for certain purposes; to prescribe the rights, powers, remedies, duties and liabilities of such associations and the rights and remedies of their creditors; to regulate the investments, loans and borrowings of such associations, and their accounts, reports, audits, statements and advertising; to create and continue the Building and Loan Department and the office of Building and Loan Commissioner, provide for the salaries and expenses of such commissioner and his assistants and employees and define their rights, powers, remedies and duties; to provide penalties for offenses by such association, their directors, officers, agents, salesmen, collectors and employees and by other persons and corporations; and to repeal title XVI of part IV of division I of the Civil Code, chapter 354 of the Statutes of 1911 and acts amendatory thereof and supplemental thereto; chapter 133 of the Statutes of 1927, and all other acts and parts of acts inconsistent herewith.

Senate Bill No. 945 read first time, and referred to Committee on Building and Loan Associations.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committee were received and read:

ON FISH AND GAME.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 453—An act to amend section 5 of chapter 551, Statutes of 1919, entitled "An act to conserve the fish supply in California by empowering the Fish and Game Commission to regulate and control the handling of fish or other fishery products for the purpose of preventing deterioration or waste; to establish grades to which the fish or other fishery products offered for delivery to canners or preservers or to the fresh fish market must conform; to make regulations to insure the proper handling and delivery of fish or fishery products to canners, preservers or fresh fish dealers; to regulate and control the use of fish or other fishery products for reduction purposes, and to provide penalties for any violation of any of the provisions of this act," approved May 25, 1919, as amended, relating to the deterioration, waste and reduction of fish and fishery products—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and the bill be re-referred to this committee.

Committee membership—17; committee vote: Ayes—9; absent—8.

MORAN, Acting Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Fish and Game, the following amendments to Senate Bill No. 453 were read and adopted:

AMENDMENT NUMBER ONE.

In line 1 of the title of the printed bill, before "chapter", insert the following: ". and to add new sections numbered 5a and 5b to,".

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 34 to 52, inclusive, and also strike out on page 3, lines 1 to 37, inclusive, of the printed bill.

AMENDMENT NUMBER THREE.

On page 4, after line 4, of the printed bill, add the following:

"SEC. 2. A new section numbered 5a is hereby added to said act, to read as follows:

Sec. 5a. It shall be lawful for the holders of permits therefor, as provided herein, to take and use sardines by reduction or extraction processes in the total amount or quantity not exceeding one hundred thousand tons during any one fiscal year, each ton containing two thousand pounds, wet weight, of sardines; each fiscal year after the first day of August, and not later than the tenth day of August, the fish and game commission shall allocate to and apportion among all qualified applicants therefor said amount of one hundred thousand tons of sardines for such use during the then current fiscal year. Said allocation and apportionment shall be upon an equal basis to all such qualified applicants. No greater quantity by weight of sardines shall be allocated to or for one plant than is allocated to or for any other plant for use during the then current fiscal year.

Every person engaged in the business of operating a cannery for the canning of sardines and who operates a reduction plant in conjunction therewith; also, any packer engaged in the business of preserving sardines by any one or more of the common methods of drying, salting, pickling or smoking and who likewise operates a reduction plant in conjunction therewith; and also any person, firm or corporation operating a plant exclusively as a reduction plant may apply to the fish and game commission for a permit or permits to use sardines by reduction or extraction processes, but each application for a permit during any fiscal year must be filed with the commission on or before August first of said fiscal year. The owner of two or more such plants is entitled to apply for and receive a permit for each thereof, but shall file a separate application for each permit desired.

Each application for such a permit shall contain a full description of the plant to be used and the equipment and process to be used, and shall also state the location of the plant, and the name and address of the owner and operator thereof.

No permit for the reduction of sardines shall be issued to or for any plant, which is not in a condition to operate at the time of the filing of the application, nor shall any permit authorize or allow the use of sardines except in the plant specifically applied for and named in the permit, nor shall any permit be transferable to or for any other plant, nor shall more than one permit be issued to or for any one plant in any one fiscal year.

Within ten days from and after the final date for filing applications for permits hereunder, the fish and game commission must pass upon the applications, filed within the time limit herein specified, and must thereupon, within the said ten days, grant and issue a permit to each applicant found to be qualified under the provisions of this act, but no permit shall be granted and/or issued to any applicant whose application was not filed on or before August first of the then current fiscal year.

Applications for such permits for and in respect to the fiscal year in which this act, as amended, takes effect shall be filed with the fish and game commission within ten days, and permits must be issued within the next succeeding ten days, from and after the date upon which this amendment takes effect."

SEC. 3. A new section numbered 5b is hereby added to said act, to read as follows:

Sec. 5b. It shall be lawful for the holders of permits therefor, as provided herein, to take and use sardines by an extraction or manufacturing process in the total amount or quantity not exceeding eight thousand tons during any one fiscal year, each ton containing two thousand pounds, wet weight, of sardines; each fiscal year after the first day of August, and not later than the tenth day of August, the fish and game commission shall allocate to and apportion among all qualified applicants therefor said amount of eight thousand tons of sardines for such use during the then current fiscal year. Said allocation and apportionment shall be upon an equal basis to all such qualified applicants. No greater quantity by weight of sardines shall be allocated to or for one plant than is allocated to or for any other plant for use during the then current fiscal year.

Every person engaged in the business of operating a plant wherein a product fit for use, intended for use, and entirely used for human consumption, is produced by

an extraction or manufacturing process, as provided herein, may apply to the fish and game commission for a permit or permits to use sardines by an extraction or manufacturing process, but each application for a permit during any fiscal year must be filed with the commission on or before August first of said fiscal year. The owner of two or more such plants is entitled to apply for and receive a permit for each thereof, but shall file a separate application for each permit desired. No person, firm or corporation applying for or receiving a permit for the reduction of sardines as provided herein shall be entitled to apply for or receive a permit as provided in section 5b heretofore.

Each application for such a permit shall contain a full description of the plant to be used and the equipment and process to be used, and shall also state the location of the plant, and the name and address of the owner and operator thereof.

No permit for the preparation of sardines into a product fit for use, intended for use, and entirely used for human consumption shall be issued to or for any plant, which is not in a condition to operate at the time of the filing of the application, nor shall any permit authorize or allow the use of sardines except in the plant specifically applied for and named in the permit, nor shall any permit be issued for the production of a product fit for use, intended for use, and entirely used for human consumption unless said product contains 25 per cent of the solids of the bodies of the sardines so used, nor shall any permit be transferable to or for any other plant, nor shall more than one permit be issued to or for any one plant in any one fiscal year.

Within ten days from and after the final date for filing applications for permits hereunder, the fish and game commission must pass upon the applications filed within the time limit herein specified, and must thereupon, within the said ten days, grant and issue a permit to each applicant found to be qualified under the provisions of this act, but no permit shall be granted and/or issued to any applicant whose application was not filed on or before August first of the then current fiscal year.

Applications for such permits for and in respect to the fiscal year in which this act, as amended, takes effect shall be filed with the fish and game commission within ten days, and permits must be issued within the next succeeding ten days, from and after the date upon which this amendment takes effect."

Bill ordered to print, and re-referred to Committee on Fish and Game.

RUSH ORDER TO PRINTER.

On motion of Senator Carter, the Secretary was directed to issue a rush order for printing Senate Bill No. 453.

Also:

MR. PRESIDENT: Your Committee on Fish and Game, to which was referred Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to the protection of fish—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—17; committee vote: Ayes—9; absent—8.

MORAN, Acting Chairman.

Senate Bill No. 768 ordered on file for second reading.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1623—An act repealing chapter 677, Statutes of 1911, entitled "An act to regulate the public service of stallions and jacks in the State of California," approved May 1, 1911, as amended:

Also: Assembly Bill No. 58—An act providing for the cooperative construction, improvement and maintenance by the State of State aid highways in counties and towns; and repealing all acts and parts of acts in conflict herewith;

Also: Assembly Bill No. 1202—An act to amend section 2 of an act entitled "An act to regulate contracts on behalf of the State in relation to the erection, construction, alteration, repair or improvement of any State structure, building, road or other State improvement of any kind and to repeal an act entitled 'An act to regulate contracts on behalf of the State in relation to erection and buildings,' approved March 28, 1876," approved March 22, 1909, as amended, relating to advertisement of work;

Also: Assembly Bill No. 893—An act to amend the Political Code by adding thereto a new section, numbered 1963*b*, relating to the retirement of commissioned officers;

Also: Assembly Bill No. 523—An act to amend section 53 of the California Irrigation District Act, relating to contracts;

Also: Assembly Bill No. 285—An act to amend section 2322*a*47 of the Political Code, relating to the salary of the horticultural commissioner in counties of the forty-seventh class;

Also: Assembly Bill No. 990—An act to amend section 4266 of the Political Code, relating to the salaries and fees of county and township officers in counties of the thirty-fifth class.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1623 read first time, and referred to Committee on Agriculture and Live Stock.

Assembly Bill No. 58 read first time, and referred to Committee on Roads and Highways.

Assembly Bills Nos. 1202 and 893 read first time, and referred to Committee on Governmental Efficiency.

Assembly Bill No. 523 read first time, and referred to Committee on Irrigation.

Assembly Bills Nos. 285 and 990 read first time, and referred to Committee on County Government.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on April 7, 1931, passed Assembly Bill No. 1291—An act to amend section 134 of the Code of Civil Procedure, relating to the time when judges shall be available.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1291 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Assembly Concurrent Resolution No. 23—Relative to grade crossing separation.

ARTHUR A. OHNIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

Assembly Concurrent Resolution No. 23 read, and referred to Committee on Roads and Highways.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 1091—An act to amend section 4014 of the Political Code, relating to justices of the peace;

Also: Assembly Bill No. 824—An act granting to the city of Los Angeles certain real property of the State lying within the boundaries of said city, acquired for highway purposes under the jurisdiction of the California Highway Commission, and authorizing the Director of Finance to convey title to said property in the name of the State to said city;

Also: Assembly Bill No. 825—An act to amend section 12 of an act entitled "An act to provide for the formation of districts within municipalities for the acquisition or construction of public improvements, works and public utilities; for the issuance, sale and payment of bonds of such districts to meet the cost of such improvements; and for the acquisition or construction of such improvements," approved May 24, 1927, relating to municipal improvement districts;

Also: Assembly Bill No. 894—An act to amend chapter 880, Statutes of 1929, entitled "An act providing for the organization, operation and maintenance of transportation districts, whether said districts lie entirely within unincorporated territory of a county or the territory of a municipality, or lie within such unincorporated territory and one or more municipalities, or lie within two or more municipalities; for the acquisition, construction and operation of any transportation facility within the district, the use of existing State Acquisition and Improvement Statutes for

such acquisition, construction and operation, for the dissolution of such districts, for the appointment and powers of an advisory board, for the disposition of any property or transportation facility, for the handling of the moneys of the district, for the use for its purposes by the district of lands dedicated to public uses, and defining the powers and duties of legislative bodies of municipalities and counties in connection with the use of this act," approved June 19, 1929, by adding two new sections thereto to be known as sections 4a and 9a:

Also: Assembly Bill No. 518—An act to amend section 683 of the Civil Code, relating to the mode of creating a joint tenancy.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Assembly Bill No. 1091 read first time, and referred to Committee on Judiciary.

Assembly Bills Nos. 824, 825 and 894 read first time, and referred to Committee on Municipal Corporations.

Assembly Bill No. 518 read first time, and referred to Committee on Judiciary.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 530—An act concerning the Ehrenburg bridge across the Colorado River.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bill No. 530 ordered on file for second reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 342—An act to amend sections 749, 750 and 751 of the Code of Civil Procedure, relating to the determination of adverse claims to real property, issuance and publication of summons, and the entry of judgment therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 342 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Clock, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Slater, Swing, Treacy, Tubbs, and Wagy—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 343—An act to add a new section to be known as section 751a of the Code of Civil Procedure, relating to a person who has received or taken title to real property in a certain name and thereafter disposes of it in a different name than the name in which it was received.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 343 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Cassidy, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack,

McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Wagy—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following report of standing committee was received and read:

ON PUBLIC HEALTH AND QUARANTINE.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Public Health and Quarantine, to which was referred Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation—which bill was, on April 7, withdrawn from committee on motion of Senator Fellom—begs leave to report that while this bill was being considered by the committee, the committee took action approving certain proposed amendments thereto, and respectfully recommends that the bill be referred to a Committee of One for the adoption of the said amendments which are submitted herewith.

WILLIAMS, Chairman.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS—(RESUMED).

Senate Bill No. 175—An act to define medical and hospital service companies and agents; to provide for the regulation, supervision and licensing thereof; to create a fund therefor; to create the office of Commissioner of Medical and Hospital Service Companies; to provide for the enforcement of said act and penalties for the violation thereof; and to make an appropriation.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Fellom moved to refer Senate Bill No. 175 to Senator Moran, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 16, of the printed bill, as amended in Senate March 20, 1931, after the word "any" (last word in the line), insert the following: "hospital or infirmary operated or maintained by any university, college or public school; nor any".

AMENDMENT NUMBER TWO.

On page 2, line 14, of the printed bill, as amended in Senate March 20, 1931, following the semicolon, after the word "persons", add the words: "nor to any insurance company, association, interinsurance exchange, or other person or persons licensed to transact an insurance business under the laws of the State of California;"

AMENDMENT NUMBER THREE.

On page 2, lines 31 and 32, of the printed bill, as amended in Senate March 20, 1931, strike out the words "He shall maintain his office in San Francisco, California."

AMENDMENT NUMBER FOUR.

On page 2, line 32, of the printed bill, as amended in Senate March 20, 1931, after the word "expenses", insert the words "of his office".

AMENDMENT NUMBER FIVE.

On page 2, lines 33 to 44, of the printed bill, as amended in Senate March 20, 1931, strike out the words "if at any time after the enactment of this law, the receipts of license fees exceed the amount necessary to defray the salary of the commissioner administering and directing the operation of said law, such amount, in excess of said salary shall be, and is hereby made available for payment of official traveling, and other operating expenses required for the enforcement of this law. The commissioner appointed to administer and enforce this law shall be the sole judge and determining source as to the necessity and amount of additional

expenditures necessary for the proper enforcement of this act, subject to approval of the state department of finance."

AMENDMENT NUMBER SIX.

On page 3, lines 1 and 2, of the printed bill, as amended in Senate March 20, 1931, strike out the words "who shall be exempt from civil service".

AMENDMENT NUMBER SEVEN.

On page 3, line 3, of the printed bill, as amended in Senate March 20, 1931, strike out the words "chief of the department", and insert in lieu thereof "department of finance".

AMENDMENT NUMBER EIGHT.

On page 10, line 11, of the printed bill, as amended in Senate March 20, 1931, strike out the period following the word "repealed", and insert the following: "*provided*, that no surgical service shall be rendered or any drugs or medicines prescribed except by the holder of a valid unrevoked physicians and surgeons certificate as provided in the medical practice act of this state."

AMENDMENT NUMBER NINE.

On page 10, section 25, line 19, of the printed bill, as amended in Senate March 20, 1931, strike out the period following the word "repealed", and insert the following: "*provided*, nothing in this act shall be construed as repealing any provision of the medical practice act or as affecting or limiting any of the powers or duties of the board of medical examiners, board of dental examiners, or the board of osteopathic examiners of the State of California under the medical practice act of this state."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 7, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 175, with instructions to amend, respectfully reports the same back, amended as per instructions.

MORAN, Committee.

Report read, and on motion of Senator Fellom adopted.

Bill ordered to print, and re-engrossment.

Senate Bill No. 227—An act to amend section 1188 of the Political Code, relating to independent nominations.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Jones moved to refer Senate Bill No. 227 to Senator Schottky, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 2, line 23, of the printed bill, as amended April 2, 1931, strike out the words "the candidate and".

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Rich, Deuel and Ingels on Senator Jones' motion to refer Senate Bill No. 227 to Senator Schottky, as a Special Committee of One, for amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Jones moved a call of the Senate.

Motion carried.

The Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Allen, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack,

Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Swing, Treacy, Tubbs, Waggy, and Williams—33.

The Secretary announced the absentees.

Time, twelve o'clock and fifty-seven minutes p.m.

The President directed the Sergeant-at-Arms to close the doors.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

PROCEEDINGS UNDER CALL OF THE SENATE.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted Senate Concurrent Resolution No. 7—Relative to establishment of a State Prison in one of the southern counties of the State of California.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Concurrent Resolution No. 7 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Senate Bill No. 157—An act to validate bonds, including refunding bonds, of irrigation districts and all proceedings relative thereto, and to provide for the levy and collection of taxes to pay the principal and interest on such bonds;

Also: Senate Bill No. 194—An act to amend section 6 of the Narcotic Rehabilitation Act, approved April 9, 1927, as amended, prescribing a penalty for violation of parole;

Also: Senate Bill No. 318—An act to amend sections 6a, 6b and 16 and to repeal sections 7, 8, 13 and 14 of the Narcotic Rehabilitation Act, relating to government of the State Narcotic Hospital, commitments, discharge and parole of inmates; prohibiting escapes and prescribing penalties;

Also: Senate Bill No. 196—An act to add new sections numbered 5b and 5c to and to amend section 10 of the Narcotic Rehabilitation Act, relating to commitment, transfer, discharge or return of patients to or from the State Narcotic Hospital.

ARTHUR A. OHNIMUS, Chief Clerk.
By FRED J. DESCH, Assistant Clerk.

Senate Bills Nos. 157, 194, 318 and 196 ordered to enrollment.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to the congressional districts—and reports that the same has been correctly re-engrossed.

RILEY, Chairman.

ON MOTOR VEHICLES.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Motor Vehicles, to which was referred Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the "California Vehicle Act," approved May 30, 1923, as amended, by amending the title thereof, by repealing section 20, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 106, 110, 111, 113, 119, 122, 123, 124, 125, 126, 131, 135, 136, 138, 142, 145, 146 and by adding thereto new sections numbered 7½, 45½, 47½, 57½, 62½, 64½, 111½, 113½, 114½, 131½, 135½, 136½, 139½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act—has had the same under

consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted and that same do pass as amended.

Committee membership—17; committee vote: Ayes—12; absent—5.

BAKER, Chairman.

SECOND READING OF SENATE BILL NUMBER FIVE HUNDRED FORTY-EIGHT.

Senate Bill No. 548—An act to amend chapter 266, Statutes of 1923, entitled the California Vehicle Act, approved May 30, 1923, as amended, by amending the title thereof, and by amending sections 7, 7½, 8½, 21, 29, 35, 36, 41, 43, 47, 64, 72, 83½, 85, 87, 89, 90, 91, 94, 95, 96, 100, 106, 110, 111, 113, 119, 122, 123, 124, 125, 126, 135, 136, 138, 142, 145, 146, and by adding thereto new sections numbered 7¼, 45¾, 47½, 57½, 62½, 64½, 111¾, 113½, 114¾, 131½, 135½, 136½, 139½, 145½, relating to the regulation of traffic on streets and highways and to the use and operation of vehicles and the registration and identification of vehicles and the licensing of operators and chauffeurs, the service of civil process on nonresidents, the reporting of accidents and damage to vehicles, and to the powers and duties of the California Highway Patrol and to the erection of signs, signals or lights upon or adjacent to highways and to the enforcement of this act.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 5 of the title of the printed bill, as amended in the Senate March 4, 1931, after the figure "72", insert the following: "82,".

Amendment adopted.

AMENDMENT NUMBER TWO.

In line 6 of the title of the printed bill, after the figure "113", insert the following: "115, 116,".

Amendment adopted.

AMENDMENT NUMBER THREE.

In line 7 of the title of the printed bill, after the figure "146", insert the following: "151,".

Amendment adopted.

AMENDMENT NUMBER FOUR.

In line 9 of the title of the printed bill, after the figure "64½", insert the figure "93½," and after the figure "145½", insert the figure "145¾,".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 3, line 26, of the printed bill, strike out the words "chief of police of the city", and all of line 27, and insert in lieu thereof the words "superintendent of the California highway patrol".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 3, line 30, of the printed bill, strike out the words "chief of police of the city or sheriff of the county", and strike out all of line 31, and insert in lieu thereof the words "superintendent of the California highway patrol".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 3, line 41, of the printed bill, following the word "driveway", insert the words "and paths".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 3, line 42, of the printed bill, following the word "institutions", strike out the period and insert the following: "when and during such time or times as such driveways and paths are open to public traffic by permission of the governing board or officer charged with the control and direction of any such university, college or institution."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 4, line 17, of the printed bill, insert a period after the word "vehicle", and strike out the balance of said line and all of lines 18 to 20, both inclusive.

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 4, line 31, of the printed bill, after the word "powers", insert the words "within their respective counties".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 4, line 33, of the printed bill, after the word "to", insert the word "wilfully", and after the word "or", insert the words "to wilfully".

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 4 of the printed bill, at the end of line 37, insert the following:

"(g) For the purpose of determining the scope of employment of any officer of the California highway patrol under the workmen's compensation act, any such officer shall be deemed to be on duty and acting within the scope of his employment when actually exercising any of the powers or performing any of the duties imposed or authorized by this act at any time during the twenty-four hours of the day."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 5 of the printed bill, strike out all of lines 35 to 37, both inclusive, and insert in lieu thereof the following: "operated or moved upon a public highway under the terms of a permit from the state department of public works, such operation being only for the purpose of crossing any highway or highways from one property to another."

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 8, line 15, of the printed bill, strike out the word "privilege", and insert in lieu thereof the word "permit".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 8, line 20, of the printed bill, after the word "state", strike out the comma and the words "other than in interstate transpor-", and in line 21, strike out the words "tation into or through this state,".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 10, line 12, of the printed bill, strike out the word and figures "or 126".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 11 of the printed bill, after line 50, insert the following:

"SEC. 19½. Section 82 of said act is hereby amended to read as follows:

Sec. 82. Fees for chauffeurs' and operators' licenses and duplicate operators' and chauffeurs' certificates. The following fees shall be paid to the division upon application for and before the issuance of a chauffeur's license and badge or operator's license or a duplicate operator's or chauffeur's certificate or chauffeur's badge:

For a chauffeur's license with chauffeur's badge	\$1 00
For an operator's license	1 00
For a duplicate chauffeur's badge	1 00
For a duplicate operator's or chauffeur's license certificate	50

Provided, however, that no operator's license fee shall be charged or collected except and only when an actual driver's test examination of the applicant is required and is made as provided in section 63 of this act. No such examination shall be required of an applicant for a renewal of operator's license unless in the opinion of the officer having charge of such matter an examination is necessary.

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 12, line 26, of the printed bill, strike out the words "or load, except that said limitation shall not apply", and strike out all of line 27, and insert in lieu thereof the following: "except poles or pipes, provided, that no pole or pipe which exceeds a length of seventy-five feet shall be transported upon a public highway unless under a special permit granted as provided in section 91."

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 12, line 43, of the printed bill, after the word "pounds", strike out the semicolon, and insert in lieu thereof the following: ", except that with respect to any passenger type vehicle having two axles and six wheels equipped with low pressure tires on all wheels, the weight upon the rear axle shall not exceed seventeen thousand pounds and the weight upon the front axle shall not exceed two-thirds of the permissible weight upon the rear axle;"

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 12 of the printed bill, at the end of line 47, insert the following words: "motor vehicle".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 14, line 33, of the printed bill, after the word "rubber", insert a period, and strike out the balance of said line, and all of lines 34 and 35.

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 15, line 37, of the printed bill, after the word "or", insert the following: "under emergency conditions".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 16 of the printed bill, at the end of line 12, after the period, insert the following:

"Sec. 26. Said act is hereby amended by adding thereto a new section numbered 934 to read as follows:

Sec. 934. Unlawful to operate motor vehicle in unsafe mechanical condition.

(a) It shall be unlawful for any person to operate on any public highway any motor vehicle or combination of motor vehicle, trailer and or semitrailer, unless such vehicle or vehicle in combination with trailer or semitrailer shall be in such safe mechanical condition that its operation on the highway shall not endanger the life of the driver or the lives of occupants of the vehicle or of other persons upon the highway.

(b) Whenever any officer of the California highway patrol has reasonable cause to believe that any motor vehicle is being operated upon the public highway in violation of subdivision (a) of this section, such officer may require the operator of said vehicle to stop and submit said vehicle to an inspection and if said officer finds that said vehicle or the equipment thereof is in violation of any of the provisions of this act, the officer may give notice of such fact, together with a notice of arrest to the operator and shall mail a copy of the notice of unsafe condition or improper equipment to the registered legal owner, if a different person than the operator. The notice of arrest shall also require that previous to appearance in court the driver shall correct any said mechanical defects or improper equipment to comply with the provisions of this act.

It shall be unlawful for any person to operate any said motor vehicle after notice of unsafe condition except as may be necessary to return it to the residence or place of business of the owner or operator or to a garage until any said mechanical defects or improper equipment have been remedied to such extent as to bring said vehicle into compliance with the provisions of this act."

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 16, line 13, of the printed bill, strike out "Sec. 26", and insert in lieu thereof "Sec. 27".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 16, line 37, of the printed bill, strike out the words "for the transportation of passengers for hire", and in line 38, strike out the word "or".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 16, line 43, of the printed bill, strike out the figure "14", and insert in lieu thereof the figure "12 5/12", and in line 44, strike out the figure "31", and insert in lieu thereof the figure "28.1", and in line 45, strike out the figure "55", and insert in lieu thereof the figure "50".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 17, line 3, of the printed bill, strike out "Sec. 27", and insert in lieu thereof "Sec. 28".

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 17, line 18, of the printed bill, strike out the word "division", and insert in lieu thereof the following: "superintendent of the California highway patrol."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 17, line 28, of the printed bill, strike out "Sec. 28", and insert in lieu thereof "Sec. 29".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 17, line 43, of the printed bill, after the words "other than", insert the word "clear".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 17, line 45, of the printed bill, strike out "Sec. 29", and insert in lieu thereof "Sec. 30".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 18, line 8, of the printed bill, after the word "inches", insert the words "or less than thirty inches".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 18, line 18, of the printed bill, strike out the word "four", and insert the word "three", and at the end of line 18 insert the following: "Sidelamps shall not be lighted at the same time as the headlamps and the beam of the sidelamps shall be of white light and shall not glare or dazzle."

Vehicles may be equipped with side running lamps (running board courtesy lamps) provided the bulb candle power is not more than three and the lamp does not project a glaring or dazzling light. White or green lights only may be used and the beam shall not be visible to the front or the rear of the vehicle."

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 18, line 33, of the printed bill, after the word "respectively", insert the following: "of each unit".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FIVE.

On page 18 of the printed bill, at the end of line 36, strike out the period, and insert the following: "and the rear clearance lamp shall be red."

Amendment adopted.

AMENDMENT NUMBER THIRTY-SIX.

On page 18, line 37, of the printed bill, strike out the word "division", and insert in lieu thereof the words "California highway patrol".

Amendment adopted.

AMENDMENT NUMBER THIRTY-SEVEN.

On page 18, line 43, of the printed bill, strike out the word "screen".

Amendment adopted.

AMENDMENT NUMBER THIRTY-EIGHT.

On page 18, line 44, of the printed bill, after the word "highway", insert the following: "and said lamps shall be deemed to be glaring or dazzling if any part of the main bright portion of the beam strikes the body of a person, vehicle, screen or other object higher than the lamp center twenty-five feet or more ahead of the vehicle".

Amendment adopted.

AMENDMENT NUMBER THIRTY-NINE.

On page 18, line 52, of the printed bill, strike out the word "division", and insert in lieu thereof the words "California highway patrol".

Amendment adopted.

AMENDMENT NUMBER FORTY.

On page 19, line 36, of the printed bill, strike out "Sec. 30", and insert in lieu thereof "Sec. 31".

Amendment adopted.

AMENDMENT NUMBER FORTY-ONE.

On page 19 of the printed bill, strike out all of lines 38 to 52, both inclusive, and on page 20, strike out all of lines 1 to 4, both inclusive, and insert in lieu thereof the following:

"Sec. 110. Light or flag on projecting load. (a) Whenever any vehicle shall be loaded with any material in such a manner that any portion of such load extends toward the rear four feet or more beyond the rear of the bed or body of such vehicle, there shall be displayed at the extreme end of the load at the times and under the conditions specified in section 99, in addition to the ordinary rear light hereinbefore required to be displayed on such vehicle, two red lights plainly visible under normal atmospheric conditions at least five hundred feet from the sides and rear, and at all other times while such vehicle is upon the highway a red flag or cloth maintained not less than sixteen inches in width shall be displayed at the extreme rear of said load as a warning signal to persons operating vehicles approaching from the rear."

Amendment adopted.

AMENDMENT NUMBER FORTY-TWO.

On page 20, line 13, of the printed bill, strike out the word "two", and insert the word "three".

Amendment adopted.

AMENDMENT NUMBER FORTY-THREE.

On page 20, line 14, of the printed bill, after the word "the", insert the words "sides and".

Amendment adopted.

AMENDMENT NUMBER FORTY-FOUR.

On page 20, line 16, of the printed bill, strike out "Sec. 31", and insert in lieu thereof "Sec. 32".

Amendment adopted.

AMENDMENT NUMBER FORTY-FIVE.

On page 20, line 46, of the printed bill, strike out "Sec. 32", and insert in lieu thereof "Sec. 33".

Amendment adopted.

AMENDMENT NUMBER FORTY-SIX.

On page 21, line 8, of the printed bill, strike out "Sec. 33", and insert in lieu thereof "Sec. 34".

Amendment adopted.

AMENDMENT NUMBER FORTY-SEVEN.

On page 21 of the printed bill, strike out all of lines 10 to 52, both inclusive, and on page 22, strike out all of lines 1 to 26, both inclusive, and insert in lieu thereof the following:

"SEC. 113. Restrictions as to speed. (a) Any person driving a vehicle on the public highways of this State shall drive the same at a careful and prudent speed not greater than is reasonable and proper, having due regard to the traffic, surface and width of the highway, and no person shall drive any vehicle upon a public highway at such a speed as to endanger the life, limb or property of any person.

(b) Subject to the provisions of subdivision (a) of this section and except in those instances where a lower speed is specified in this act, it shall be lawful for the driver of a vehicle to drive the same at a speed not exceeding the following:

1. Fifteen miles an hour in traversing a grade crossing of any steam, electric or street railway when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last one hundred feet of his approach to such crossing he does not have a clear and uninterrupted view of such railway crossing and of any traffic on such railway for a distance of four hundred feet in both directions from such crossing;

2. Fifteen miles an hour in traversing an intersection of highways when the driver's view is obstructed. A driver's view shall be deemed to be obstructed when at any time during the last one hundred feet of his approach to such intersection he does not have a clear and uninterrupted view of such intersection and of the traffic upon all of the highways entering such intersection for a distance of two hundred feet from such intersection;

3. Fifteen miles an hour in traversing or going around curves or corners of a highway when the driver's view is obstructed within a distance of two hundred feet along such highway in the direction in which he is proceeding;

4. Fifteen miles an hour when passing a school building or the grounds thereof during school recess or while children are going to or leaving school during opening or closing hours or while playgrounds of any such school are in use by school children;

5. Twenty miles an hour in a business district, as defined herein;

6. Twenty-five miles an hour in a residence district, as defined herein;

7. Forty-five miles an hour under all other conditions.

(c) In all charges for a violation of this section, speeds in excess of those set forth in subdivision (b) of this section shall be taken as prima facie but not as conclusive evidence of a violation of this section, and every notice to appear and every complaint charging a violation of this section shall specify approximately the speed at which the defendant is alleged to have driven and exactly the lawful speed at the time and place of the alleged offense.

(d) In any civil action the driver of a vehicle who has operated such vehicle at a speed in excess of the miles per hour set forth in subdivision (b) applicable at the time and place shall not be deemed to have been negligent by reason thereof as a matter of law, but in all such actions the burden shall be upon the opposing party to establish that the operation of such vehicle at such speed constituted negligence."

Amendment adopted.

AMENDMENT NUMBER FORTY-EIGHT.

On page 22, line 27, of the printed bill, strike out "Sec. 34", and insert in lieu thereof "Sec. 35".

Amendment adopted.

AMENDMENT NUMBER FORTY-NINE.

On page 22, line 42, of the printed bill, strike out "Sec. 35", and insert in lieu thereof "Sec. 36".

Amendment adopted.

AMENDMENT NUMBER FIFTY.

On page 23 of the printed bill, at the end of line 16, insert the following:

"Sec. 37. Section 115 of said act is hereby amended to read as follows:

Sec. 115. Business districts to be sign posted. Where any highway lies within a business district, the state highway commission with respect to state highways and local authorities with respect to streets and highways under their jurisdiction may, and as to main through highways shall cause metal signs to be conspicuously placed on every such highway at the boundary lines of such business district, which signs shall be placed on the right hand side of such highway looking toward such district and at right angles to the highway and at a height of not less than four and not more than ten feet from the ground, and which shall have inscribed on the front thereof in letters of a size to be easily read by a person using the highway, the words and figures "20 miles speed limit."

Sec. 38. Section 116 of said act is hereby amended to read as follows:

Sec. 116. Residence district to be sign posted. Where any highway lies within a resident district, the state highway commission with respect to state highways and local authorities with respect to streets and highways under their jurisdiction may, and as to main through highways shall cause metal signs to be conspicuously placed on every such highway at the boundary line of such residence district, which signs shall be placed on the right hand side of such highway looking toward such district and at right angles to the highway and at a height of not less than four and not more than ten feet from the ground and which shall have inscribed on the front thereof in letters of a size to be easily read by a person using the highway the words and figures "25 miles speed limit."

Sec. 39. Section 118 of the said act is hereby amended to read as follows:

Sec. 118. Speed limits for vehicles regulated according to weight and tire equipment.

(a) It shall be unlawful for the driver of a vehicle equipped with pneumatic tires, other than passenger vehicles, to drive the same upon a public highway at speeds in excess of the following:

When the gross weight of the vehicle and any load thereon is twenty thousand pounds, but less than twenty-five thousand pounds, thirty-five miles per hour:

When the gross weight of the vehicle and any load thereon is twenty-five thousand pounds or more, thirty miles per hour.

It shall be unlawful for the driver of a motor truck towing a trailer or semitrailer to drive the same at a speed in excess of twenty-five miles per hour upon any public highway.

(b) It shall be unlawful for the driver of a vehicle equipped with other than pneumatic tires to drive the same upon a public highway at speeds in excess of those provided in the following table:

When gross weight of vehicle and load is—	Maximum speed per hour in miles
Nine thousand pounds or more but not more than twelve thousand pounds.....	25
Over twelve thousand pounds but not over twenty-two thousand pounds.....	15
Over twenty-two thousand pounds.....	12
When a truck or trailer is equipped with tires made wholly or partly of metal.....	6

Subject to the foregoing limitations when applicable, any truck or trailer equipped with other than pneumatic tires which has a manufacturer's rated carrying capacity of four tons or more shall not at any time be driven or moved on any public highway at a speed in excess of fifteen miles per hour."

Amendment adopted.

AMENDMENT NUMBER FIFTY-ONE.

On page 23, line 17, of the printed bill, strike out "Sec. 36", and insert in lieu thereof "Sec. 40".

Amendment adopted.

AMENDMENT NUMBER FIFTY-TWO.

On page 24, line 6, of the printed bill, strike out "Sec. 37", and insert in lieu thereof "Sec. 41".

Amendment adopted.

AMENDMENT NUMBER FIFTY-THREE.

On page 24, line 33, of the printed bill, strike out "Sec. 38", and insert in lieu thereof "Sec. 42".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FOUR.

On page 25, line 1, of the printed bill, strike out "Sec. 39", and insert in lieu thereof "Sec. 43".

Amendment adopted.

AMENDMENT NUMBER FIFTY-FIVE.

On page 25, line 13, of the printed bill, strike out "Sec. 40", and insert in lieu thereof "Sec. 44".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SIX.

On page 25, line 44, of the printed bill, strike out "Sec. 41", and insert in lieu thereof "Sec. 45".

Amendment adopted.

AMENDMENT NUMBER FIFTY-SEVEN.

On page 25, line 52, of the printed bill, strike out the word "impending", and insert in lieu thereof the words "interfering with".

Amendment adopted.

AMENDMENT NUMBER FIFTY-EIGHT.

On page 26, line 10, of the printed bill, strike out "Sec. 42", and insert in lieu thereof "Sec. 46".

Amendment adopted.

AMENDMENT NUMBER FIFTY-NINE.

On page 26, line 36, of the printed bill, strike out "Sec. 43", and insert in lieu thereof "Sec. 47".

Amendment adopted.

AMENDMENT NUMBER SIXTY.

On page 27, line 14, of the printed bill, strike out "Sec. 44", and insert in lieu thereof "Sec. 48".

Amendment adopted.

AMENDMENT NUMBER SIXTY-ONE.

On page 27 of the printed bill, strike out all of lines 30 to 38, both inclusive, and insert in lieu thereof the following: "that nothing contained in this act shall apply to street railway tracks, within a business or residence district nor to tracks at crossings in or of streets or highways where city or county or state officers are on duty and directing traffic to proceed, nor where stop and go signals are in operation and indicating that traffic may proceed, nor shall motor vehicles carrying passengers for hire be required to stop at spur track crossings where, with the approval of the railroad commission, distinctive signs are displayed indicating that no stop need be made unless a train is approaching."

Amendment adopted.

AMENDMENT NUMBER SIXTY-TWO.

On page 28, line 3, of the printed bill, strike out "Sec. 45", and insert in lieu thereof "Sec. 49".

Amendment adopted.

AMENDMENT NUMBER SIXTY-THREE.

On page 28, line 7, of the printed bill, strike out the words "or explosive", and strike out all of line 8, and insert in lieu thereof the words "other than gasoline, or transport".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FOUR.

On page 28, line 15, of the printed bill, strike out "Sec. 46", and insert in lieu thereof "Sec. 50".

Amendment adopted.

AMENDMENT NUMBER SIXTY-FIVE.

On page 28, line 49, of the printed bill, strike out "Sec. 47", and insert in lieu thereof "Sec. 51".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SIX.

On page 29, line 6, of the printed bill, strike out the word "or", and in line 7, strike out the words "Street car".

Amendment adopted.

AMENDMENT NUMBER SIXTY-SEVEN.

On page 29, in both lines 8 and 9, of the printed bill, strike out the words "or operator's", and in line 10, insert a period after the word "vehicle", and strike out the words "or street car".

Amendment adopted.

AMENDMENT NUMBER SIXTY-EIGHT.

On page 29, line 11, of the printed bill, strike out "Sec. 48", and insert in lieu thereof "Sec. 52".

Amendment adopted.

AMENDMENT NUMBER SIXTY-NINE.

On page 29 of the printed bill, after line 36, add the following:

"10. Alongside each street authorized for loading and unloading passengers of common carriers engaged in local transportation."

Amendment adopted.

AMENDMENT NUMBER SEVENTY.

On page 29, line 37, of the printed bill, strike out "Sec. 49", and insert in lieu thereof "Sec. 53".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-ONE.

On page 29, line 45, of the printed bill, strike out "Sec. 50", and insert in lieu thereof "Sec. 54".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-TWO.

On page 31, line 19, of the printed bill, strike out "Sec. 51", and insert in lieu thereof "Sec. 55".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-THREE.

On page 31, line 21, of the printed bill, strike out the word "or", and insert in lieu thereof the words "near from designating", and in said line 21, after the word "intersections", insert the words "of public highways".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FOUR.

On page 31, line 24, of the printed bill, after the word "tions", strike out the comma, and insert the words "of public highways,".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-FIVE.

On page 31, line 38, of the printed bill, after the word "direction", strike out the comma, and insert in lieu thereof the following: "and may close any street or highway to vehicular traffic when, in the opinion of such legislative bodies such street or highway is no longer needed for vehicular traffic,".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SIX.

On page 31, line 41, of the printed bill, strike out "Sec. 52", and insert in lieu thereof "Sec. 56".

Amendment adopted.

AMENDMENT NUMBER SEVENTY-SEVEN.

On page 31 of the printed bill, at the end of line 49, strike out the period, and insert the following: "except a bus stopping in a designated bus loading zone."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-EIGHT.

On page 32 of the printed bill, at the end of line 8, insert the following:

"SEC. 57. Said act is hereby amended by adding thereto a new section to be numbered 145½, to read as follows:

Sec. 145½. It shall be unlawful for any person to drive, stop, park or leave standing, whether attended or unattended, a vehicle or an animal upon the drive-ways, paths or grounds of any state university, state college, public school, state hospital, state prison or other institution maintained by the state, save and except with the permission of and upon and subject to such conditions and regulations as may be imposed by the governing board or officer charged with the control and direction of such state university, state college, public school, state hospital, state prison or other institution maintained by the state.

Any governing board or officer herein mentioned or described shall erect appropriate signs giving notice, with respect to any driveway which is open to the public, of any special regulation applicable thereto as determined by the governing board under the provisions of this section: *provided, however*, that each such governing board or officer shall prepare and keep available for examination by all interested persons at the principal administrative office of such board or officer a written statement of any and all conditions and regulations by it or him adopted pursuant to the provisions of this section."

Amendment adopted.

AMENDMENT NUMBER SEVENTY-NINE.

On page 32, line 9, of the printed bill, strike out "Sec. 53", and insert in lieu thereof "Sec. 58".

Amendment adopted.

AMENDMENT NUMBER EIGHTY.

On page 32 of the printed bill, at the end of line 24, insert the following:

"SEC. 59. Section 151 of said act is hereby amended to read as follows:

Sec. 151. Live stock not to stray on highway. No person owning, or controlling the possession of, any live stock, shall voluntarily or negligently permit any such live stock to stray upon or remain unaccompanied by a person in charge or control thereof upon a public highway, both sides of which are adjoined by property which is separated from such highway by a fence, wall, hedge, sidewalk, curb, lawn or building. No person shall drive any such live stock upon, over or across any public highway between the hours of sunset and sunrise without keeping a sufficient number of herders on continual duty to open the road so as to permit the passage of vehicles."

Amendment adopted.

AMENDMENT NUMBER EIGHTY-ONE.

On page 32, line 25, of the printed bill, strike out "Sec. 54", and insert in lieu thereof "Sec. 60".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 291—An act to amend the California Irrigation District Act by adding a new section thereto, to be numbered section 55a, relating to rates and charges for water—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 192—An act creating the State Irrigation Bond Fund, providing how the money in such fund may be used, and making an appropriation therefor—has had the same under consideration, and respectfully reports the same back, with favorable recommendation and recommends that the bill be re-referred to the Committee on Finance.

Committee membership—7; committee vote: Ayes—4; Noes—1; absent—2.

MIXTER, Chairman.

Senate Bill No. 192 ordered re-referred to Committee on Finance.

Also:

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Senate Bill No. 191—An act creating the California District Securities Commission, providing for its appointment, and defining its duties and powers, relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized, providing that certain districts may be declared insolvent, and providing for the administration of insolvent districts, making an appropriation to carry out the purposes of the act, and repealing an act entitled "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, State school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized," approved June 13, 1913, and as amended—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it be re-referred to the Committee on Finance.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Irrigation, the following amendments to Senate Bill No. 191 were read and adopted:

AMENDMENT NUMBER ONE.

On page 2 of the printed bill, strike out all of lines 37, 38, 39 and 40, and insert in lieu thereof the following: "report thereon in writing. If no bonds of the district shall have heretofore been certified as provided in this act or under the provisions of "An act relating to bonds of irrigation districts, providing under what circumstances such bonds shall be legal investments for funds of banks, insurance companies and trust companies, trust funds, state school funds and any money or funds which may now or hereafter be invested in bonds of cities, cities and counties, counties, school districts or municipalities, and providing under what circumstances the use of bonds of irrigation districts as security for the performance of any act may be authorized." Approved June 13, 1913, or acts amendatory thereof or supplementary thereto, such report shall be made upon each and every detail that may in the opinion of the commission have any bearing upon the success or failure of the project about to be undertaken by the district, and every fact which will aid the commission in determining the feasibility and economic soundness of such project. If bonds of the district shall have theretofore been so certified then such report shall be upon the following points:

(a) The supply of water available for the project and the right of the district to so much water as may be needed.

(b) The nature of the soil as to its fertility and susceptibility to irrigation, the probable amount of water needed for its irrigation and the probable need of drainage.

(c) The feasibility of the district's irrigation system and of the specific project for which the bonds under consideration are desired or have been used, whether such system and project be constructed, projected or partially completed.

In either case the commission shall determine the reasonable value of the water, water rights, canals, reservoirs, reservoir sites and irrigation works, owned by the district or to be acquired or constructed with the proceeds of any such bonds, and the reasonable value of lands included within the boundaries of the district.

No bond issue of any district shall be approved for certification as provided in this act which together with any other outstanding bonds of such district including bonds authorized but not sold exceeds sixty per centum of the aggregate value of the water, water rights, canals, reservoirs, reservoir sites, irrigation and power works owned by the district or to be acquired or constructed with the proceeds of the bonds proposed

to be issued by said district, and the reasonable value of the lands within the boundary of the district."

AMENDMENT NUMBER TWO.

On page 5, line 15, of the printed bill, strike out the words "six months", and insert in lieu thereof the words "one year".

Bill ordered to print, and re-referred to Committee on Finance.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS.

Assembly Bill No. 568—An act to amend section 1723 of the Code of Civil Procedure, relating to the termination of certain interests in property.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Christian moved to refer Assembly Bill No. 568 to Senator Cleveland, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 6, of the printed amended bill as of March 31, 1931, strike out the word "may", and insert in lieu thereof the word "must".

AMENDMENT NUMBER TWO.

On page 2, line 1, of the amended printed bill, as amended on March 31, 1931, strike out the words "in support of", and insert in lieu thereof the following: "for or against".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 568, with instructions to amend, respectfully reports the same back, amended as per instructions.

CLEVELAND, Committee.

Report read, and on motion of Senator Christian adopted.

Bill ordered to print.

MOTION TO DISPENSE WITH FURTHER PROCEEDINGS UNDER CALL
OF THE SENATE.

At one o'clock and twenty minutes p.m., Senator Ingels moved that further proceedings under call of the Senate be dispensed with.

Motion lost.

Assembly Bill No. 651—An act to amend section 11 of chapter 387, Statutes of 1913, entitled "An act providing for the organization of water districts by the board of supervisors of the different counties of the State upon petition therefor by the landowners; providing for the joint government and control thereof by the landowners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing that said bonds may be investigated by an appointive board of three hydraulic engineers; providing for the approval of said bonds

by the State Superintendent of Banks in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; and providing for the dissolution of said districts for nonuser of corporate power." approved June 13, 1913, relating to sale of the title to lands in such water districts of which the district was purchaser at a delinquent tax sale.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Edwards moved to refer Assembly Bill No. 651 to Senator McKinley, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In the title of the printed bill, strike out all except line 1 thereof, and all of the title on page 2, and insert in lieu thereof the following: "entitled 'An act providing for the organization of water districts by the board of supervisors of the different counties of the state upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California bond certification commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California bond certification commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California bond certification commission in case said investigation is favorably reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts.'" approved June 13, 1913, as amended, relating to the sale of lands in water districts of which the district was purchaser at a delinquent tax sale."

AMENDMENT NUMBER TWO.

On page 2 of the printed bill, strike out lines 2 to 30, inclusive, and insert in lieu thereof the following: "entitled 'An act providing for the organization of water districts by the board of supervisors of the different counties of the state upon petition therefor by the land owners; providing for the joint government and control thereof by the land owners thereof and the board of supervisors of the county in which the same are formed; providing for the duties in connection therewith of the county officials of each county in which any of the lands contained in said district are located; providing for the acquisition and construction by said district of irrigation works, for the irrigation of the lands embraced therein and for the distribution thereby of water for irrigation purposes; providing for the payment of the debts thereof by a tax levied on the lands embraced therein; providing for the issuance and sale of bonds thereby; providing for the transfer of the properties of such districts to any reclamation, drainage or irrigation project and the extension of contracts providing for such transfer in exchange for the right to receive and use water; providing for the approval of the California bond certification commission of such contracts or transfers; providing that said bonds and contracts or transfers may be investigated by the California bond certification commission; providing for the approval of said bonds and such transfers, or contracts providing therefor by the California bond certification commission in case said investigation is favorably

reported and that thereafter said bonds may be lawfully purchased, or received in pledge as security for any money or deposits or for the performance of any act, by banks, banking institutions, insurance companies, trust companies, guardians, executors, administrators and special administrators; providing in certain cases for the transfer of districts from the supervision of one county board of supervisors to another; providing for the dissolution of said districts for nonuser of corporate power; and providing for the annexation of lands to and the exclusion of lands from such districts," approved June 13, 1913, as amended, is hereby amended to read as follows: "

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Assembly Bill No. 651, with instructions to amend, respectfully reports the same back, amended as per instructions.

McKINLEY, Committee.

Report read, and on motion of Senator Edwards adopted.

Bill ordered to print.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 761—An act to amend section 1274a of the Code of Civil Procedure, relating to escheat.

Bill read second time, ordered engrossed, and on file for third reading.

Senate Bill No. 651—An act to amend section 2280 of the Civil Code, relating to the revocation of trusts.

Bill read second time, ordered engrossed, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 1871—An act to amend section 2 of the Water Conservation Act of 1927, relating to the powers of water conservation districts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 763—An act to add section 3a and to amend section 5 of chapter 176, Statutes of 1919, entitled "An act to provide for the prevention and suppression of forest fires," approved May 2, 1919, as amended, relating to the appointment, powers, and duties, of voluntary fire wardens.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1865—An act to amend section 1918 of the Code of Civil Procedure, relating to the manner of proving official documents.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1123—An act to amend sections 73 and 142 of the Code of Civil Procedure, relating to superior courts.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1084—An act to regulate the location, construction, occupancy and operation of cleaning and dyeing shops or stores and spotting, sponging, and or pressing establishments, operated as independent concerns or as units of concerns, and private schools and colleges of spotting, sponging and or pressing; providing for the registration and licensing of persons engaged in such business; providing for the enforcement thereof by the State Fire Marshal; providing ways and means for enforcement, and providing penalties for violations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

In line 8 of the title of the printed bill, insert after the word "marshal", the following: "as chief of the bureau of fire safety in the department of industrial relations".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 3, line 29, of the printed bill, strike out the word "six", and insert in lieu thereof the following: "three".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 4, line 39, of the printed bill, strike out "eighteen", and insert in lieu thereof "twelve".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 4, line 39, of the printed bill, insert after the word "dollars", the following: "for each such shop, store, agency or establishment".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 4, line 42, of the printed bill, strike out the following: "for each such shop, store, agency or establishment".

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 8 of the printed bill, insert between lines 9 and 10, the following:

"Sec. 7. All powers and duties given by this act to the state fire marshal or the department of industrial relations shall be administered by the state fire marshal through the division of fire safety in the department of industrial relations."

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 8, line 10, of the printed bill, strike out the figure "7", and insert in lieu thereof the following: "8".

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 6, line 26, of the printed bill, strike out the following: "plastered on both sides,".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1083—An act to amend section 1 of an act entitled "An act to reduce the fire hazards of clothes cleaning establishments, providing for the enforcement thereof by the Division of Industrial

Fire Safety in the Department of Industrial Relations, providing ways and means for enforcement, and providing penalties for violations," approved April 23, 1929.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1215—An act authorizing the Director of Finance to contract for the exhibiting of California live stock.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 767—An act to establish standards for the packing, marketing and sale of apples, forbidding the sale of certain infected, defective, and diseased apples, providing for its enforcement and fixing penalties for its violation.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1499—An act to add a new section to be numbered section 6½ to chapter 421, Statutes of 1925, entitled the "California Canned Fruit Standardization Act," approved May 23, 1925, as amended, providing for the use of United States Department of Agriculture markings on canned products.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 701—An act to amend section 5 of an act entitled "An act to restrict the running of dogs at large; to protect live stock from depredations of dogs; to provide for the issuance of dog license tags by counties, and the disposition of funds received as fees therefor; making the violation of the provisions of this act a misdemeanor and providing penalties therefor, and providing for the collection of damages by owners of live stock injured by dogs," approved June 3, 1921, as amended, relating to dog licenses.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 1096—An act to amend chapter 70, Statutes of 1929, entitled "An act creating the Department of Agriculture Fund, providing that all moneys are to be credited to this fund, providing that all moneys remaining in certain special funds at the time this act takes effect shall be credited to said fund, providing that separate record of income and disbursements be kept of all moneys accruing to this fund and providing for a revolving fund," approved April 9, 1929, by adding a new section thereto to be known as section 6, providing for the payment into the Department of Agriculture Fund, of moneys received by the Department of Agriculture under section 2319i of the Political Code.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 1, line 11, of the printed bill, strike out "July 1, 1933," and insert in lieu thereof the following: "the effective date of this act".

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

Assembly Bill No. 1177—An act to amend sections 2, 3, 4, 6, 7, 8, 12, 18, 20, and 21 of the General Dairy Law of California, approved June 15, 1923, as amended.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

Strike out all of the title of the printed bill, and insert in lieu thereof the following:

"An act to amend sections 2, 3, 4, 6, 7, 8, 12, 18, 20 and 21 of and to add a new section to be numbered 12½ to the general dairy law of California, approved June 15, 1923, as amended."

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 11 of the printed bill, strike out lines 1 and 2, and insert in lieu thereof the following: "section 21 of this act.

SEC. 8. A new section to be numbered 12½ is hereby added to this act to read as follows:"

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

MOTION BY SENATOR EVANS.

Senator Evans moved that the Sergeant-at-Arms be instructed to bring in sandwiches and coffee for the Senators.

Motion lost.

CONSIDERATION OF DAILY FILE.

THIRD READING OF ASSEMBLY BILLS—(RESUMED).

Assembly Bill No. 1735—An act authorizing and empowering the Director of Finance to convey real property belonging to the State of California to the San Francisco Neighborhood Association, a corporation.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1735 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—36.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At one o'clock and thirty-five minutes p.m., further proceedings under the call of the Senate were dispensed with, on motion of Senator Jones.

The Secretary was directed to call the roll on Senator Jones' motion to refer Senate Bill No. 227 to Senator Schottky, as a Special Committee of One, for amendment.

The roll was called, and Senator Jones' motion to refer Senate Bill No. 227 to Senator Schottky, as a Special Committee of One, for amendment lost by the following vote:

AYES—Senators Baker, Breed, Cassidy, Fellom, Hays, Inman, Jones, Maloney, McCormack, Moran, Nelson, Rich, Schottky, Slater, Treacy, Tubbs, and Waggy—17.

NOES—Senators Allen, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Ingels, Mixter, Pedrotti, Riley, Rochester, Sharkey, Swing, and Williams—19.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 227 passed by the following vote:

AYES—Senators Allen, Baker, Bush, Carter, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Ingels, Maloney, McCormack, Mixter, Pedrotti, Rich, Riley, Rochester, Sharkey, Swing, Treacy, and Williams—25.

NOES—Senators Breed, Cassidy, Hays, Inman, Jones, Moran, Nelson, Schottky, Slater, Tubbs, and Wagy—11.

Title read and approved.

Bill ordered transmitted to the Assembly.

POSTPONEMENT OF SPECIAL ORDER.

Senator Breed moved that the consideration of Assembly Bill No. 301 and Senate Bill No. 168 heretofore set as special orders for two o'clock p.m., be postponed until two o'clock and thirty minutes p.m.

Motion carried.

RECESS.

On motion of Senator Breed, at one o'clock and thirty-five minutes p.m., the President of the Senate declared recess until two o'clock and thirty minutes p.m.

RECONVENED.

At two o'clock and thirty minutes p.m., the Senate reconvened.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of Assembly Bill No. 301 and Senate Bill No. 168, heretofore set as a special order for two o'clock and thirty minutes p.m., the same were taken up for consideration.

Assembly Bill No. 301—An act to amend section 78 of the Political Code, relating to Senatorial and Assembly districts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 301 passed by the following vote:

AYES—Senators Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, and Wagy—30.

NOES—Senators Fellom, Maloney, Sharkey, and Treacy—4.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Tubbs gave notice that on the next legislative day he would move to reconsider the vote by which Assembly Bill No. 301 was passed.

Senate Bill No. 168—An act to amend section 117 of the Political Code, relating to congressional districts.

Bill read third time previously.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Sharkey moved to refer Senate Bill No. 165 to Senator Treacy, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 10, of the printed bill, as amended, strike out "Inyo and Mono".

AMENDMENT NUMBER TWO.

On page 1, lines 12 and 13, of the printed bill, as amended, strike out "San Joaquin", and in line 12 after "and", add "Contra Costa".

AMENDMENT NUMBER THREE.

On page 1 of the printed bill, as amended, strike out lines 14 to 23, and insert in lieu thereof the following:

"4. Fourth. All that portion of the city and county of San Francisco comprising the twenty-fifth, twenty-ninth, thirtieth, and thirty-first assembly districts, as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the fourth congressional district.

5. Fifth. All that portion of the city and county of San Francisco comprising the twenty-second, twenty-third, twenty-fourth, and twenty-sixth assembly districts, as such districts are constituted by section 78 of this code, as amended, at the regular session of the Legislature commencing January 5, 1931, shall constitute the fifth congressional district.

6. Sixth. All that portion of the city and county of San Francisco comprising the twenty-seventh and twenty-eighth assembly districts, as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, together with the county of San Mateo, shall constitute the sixth congressional district."

AMENDMENT NUMBER FOUR.

On page 1 of the printed bill, as amended, strike out lines 24 to 28, and on page 2, lines 1 to 4, and insert in lieu thereof the following:

"7. Seventh. All that portion of the county of Alameda lying southerly and easterly of a line described as follows:

Commencing at a point where the line dividing Oakland and Alameda townships intersects the western boundary line of Alameda county; thence easterly along said line dividing Oakland and Alameda townships to a point where the direct extension southerly of the center line of Adeline street would intersect the same; thence northerly along said extension and the center line of Adeline street to the center line of Twenty-first street; thence easterly along the center line of Twenty-first street to the center line of Market street; thence southerly along the center line of Market street to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street and its direct extension southeasterly to the west shore line of Lake Merritt; thence southeasterly, southerly and southeasterly along said shore line of Lake Merritt and its direct production southeasterly to its point of intersection with the westerly line of Lake Shore boulevard; thence in a general northeasterly direction along the westerly line of Lake Shore boulevard to its intersection with the direct production westerly of the center line of Excelsior avenue; thence easterly along said production and along the center line of Excelsior avenue to its intersection with the center line of Hopkins street; thence easterly along the center line of Hopkins street to its intersection with the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue to its intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard and along its direct extension northeasterly to an intersection with the center line of Sausal creek; thence northeasterly and southeasterly along the center line of Sausal creek to its intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard to its intersection with the center line of Saroni drive; thence northwesterly along the center line of Saroni drive to its intersection with the center line of the right of way of the San Francisco and Sacramento railway; thence northeasterly along said right of way center line to its intersection with the boundary line between Alameda county and Contra Costa county, shall constitute the seventh congressional district.

8. Eighth. All that portion of the county of Alameda lying northerly and westerly of a line described as follows:

Commencing at a point where the line dividing Oakland and Alameda townships intersects the western boundary line of Alameda county; thence easterly along said line dividing Oakland and Alameda townships to a point where the direct extension southerly of the center line of Adeline street would intersect the same; thence northerly along said extension and the center line of Adeline street to the center line of Twenty-first street; thence easterly along the center line of Twenty-first street to the center line of Market street; thence southerly along the center line of Market

street to the center line of Twentieth street; thence southeasterly along the center line of Twentieth street and its direct extension southeasterly to the west shore line of Lake Merritt; thence southeasterly, southerly and southeasterly along said shore line of Lake Merritt; and its direct production southeasterly to its point of intersection with the westerly line of Lake Shore boulevard; thence in a general northeasterly direction along the westerly line of Lake Shore boulevard, to its intersection with the direct production westerly of the center line of Excelsior avenue; thence easterly along said production and along the center line of Excelsior avenue to its intersection with the center line of Hopkins street; thence easterly along the center line of Hopkins street to its intersection with the center line of Thirteenth avenue; thence northeasterly along the center line of Thirteenth avenue to its intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard and along its direct extension northeasterly to an intersection with the center line of Sausal creek; thence northeasterly and southeasterly along the center line of Sausal creek to its intersection with the center line of Park boulevard; thence northeasterly along the center line of Park boulevard to its intersection with the center line of Saroni drive; thence northwesterly along the center line of Saroni drive to its intersection with the center line of the right of way of the San Francisco and Sacramento railway; thence northeasterly along said right of way center line to its intersection with the boundary line between Alameda county and Contra Costa county, shall constitute the eighth congressional district."

AMENDMENT NUMBER FIVE.

On page 2 of the printed bill, as amended, strike out lines 4 to 52, and on page 3, lines 1 to 52, and on page 4, lines 1 to 4, and insert in lieu thereof the following:

"9. Ninth. The counties of San Joaquin, Stanislaus, Merced, and Madera, shall constitute the ninth congressional district.

10. Tenth. The counties of Fresno, Kings, Tulare, and San Benito, shall constitute the tenth congressional district.

11. Eleventh. The counties of Santa Clara, Santa Cruz, Monterey, and San Luis Obispo, shall constitute the eleventh congressional district.

12. Twelfth. The counties of Santa Barbara, Ventura, Kern, Mono, and Inyo, shall constitute the twelfth congressional district.

13. Thirteenth. All that portion of the county of Los Angeles comprising the forty-second, forty-third, forty-sixth, forty-seventh and forty-eighth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the thirteenth congressional district.

14. Fourteenth. All of that portion of the county of Los Angeles comprising the forty-ninth, fiftieth, fifty-first and sixty-seventh assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the fourteenth congressional district.

15. All of that portion of the county of Los Angeles comprising the forty-fourth, forty-fifth, fifty-second, fifty-fourth, fifty-sixth and fifty-eighth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the fifteenth congressional district.

16. Sixteenth. All of that portion of the county of Los Angeles comprising the fifty-fifth, sixty-second, sixty-third, sixty-fourth, sixty-fifth and sixty-sixth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the sixteenth congressional district.

17. Seventeenth. All of that portion of the county of Los Angeles comprising the fifty-seventh, fifty-ninth, sixtieth and sixty-first assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the seventeenth congressional district.

18. Eighteenth. All of that portion of the county of Los Angeles comprising the forty-first, fifty-third, seventieth, seventy-first, sixty-eighth and sixty-ninth assembly districts as such districts are constituted by section 78 of this code, as amended at the regular session of the Legislature commencing January 5, 1931, shall constitute the eighteenth congressional district."

AMENDMENT NUMBER SIX.

On page 3, line 15, of the printed bill, as amended, strike out "San Bernardino", and "Riverside", and insert in lieu thereof "San Diego".

AMENDMENT NUMBER SEVEN.

On page 3, line 17, of the printed bill, as amended, strike out "San Diego", and insert "Riverside and San Bernardino", in lieu thereof.

POINT OF ORDER.

Senator Evans raised the point of order that "Senator Sharkey was on his closing argument, and is precluded from asking questions of another Senator."

DECISION ON POINT OF ORDER.

The President announced his decision, and declared the point of order not well taken.

AYES AND NOES DEMANDED.

A roll call was demanded by Senators Sharkey, Maloney, and Inman on Senator Sharkey's motion to refer Senate Bill No. 168 to Senator Treacy, as a Special Committee of One, for amendment.

The roll was called, and Senator Sharkey's motion to refer Senate Bill No. 168 to Senator Treacy, as a Special Committee of One, for amendment, lost by the following vote:

AYES—Senators Fellom, Maloney, Sharkey, Treacy, and Tubbs—5.

NOES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Wagy, and Williams—32.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 168 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Harper, Hays, Ingels, Inman, Jones, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Wagy, and Williams—33.

NOES—Senators Fellom, Maloney, Treacy, and Tubbs—4.

Title read and approved.

NOTICE OF MOTION TO RECONSIDER.

Senator Sharkey gave notice that on the next legislative day he would move to reconsider the vote by which Senate Bill No. 168 was passed.

ADJOURNMENT.

At five o'clock and thirty minutes p.m., on motion of Senator Breed, the President declared the Senate adjourned until eleven o'clock a.m., Thursday, April 9, 1931.

HAROLD J. POWERS, Minute Clerk.

IN SENATE.

SENATE CHAMBER,
SACRAMENTO, Thursday, April 9, 1931.

The Senate met at eleven o'clock a.m.

Lieutenant Governor Frank F. Merriam, President of the Senate, in the chair.

Secretary Joseph A. Beek at the desk.

ROLL CALL.

The roll was called, and the following answered to their names:

Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Clock, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixter, Moran, Nelson, Pedrotti, Rich, Riley,

Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—37.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. Sherman L. Divine.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, April 8, 1931, the further reading was dispensed with, on motion of Senator Slater.

LEAVE OF ABSENCE.

Senator Cloek was, on motion of Senator Riley, granted leave of absence for this day.

PRIVILEGE OF FLOOR OF SENATE EXTENDED.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Miss Mae E. Neville of San Francisco, Mrs. H. W. Mergenthal of Richmond, and Mrs. Ruth G. Mayne of Sacramento.

On request of Senator Slater, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Charles E. Haven of Oakland.

On request of Senator Fellom, the privilege of the floor of the Senate Chamber for this day was unanimously extended to William Osterloh of the East and West of Castro Street Improvement Club of San Francisco.

On request of Senator Treacy, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mrs. Annie A. Seanlon, and daughter Aileen, of San Francisco.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to A. W. Hollis of San Francisco.

On request of Senator Moran, the privilege of the floor of the Senate Chamber for this day was unanimously extended to D. C. Williams of Willows, California.

On request of Senator Sharkey, the privilege of the floor of the Senate Chamber for this day was unanimously extended to Mr. and Mrs. Ed. Price of Crockett, and Will Rolph of San Francisco, brother of Governor James Rolph, Jr.; also Mrs. Lelah Baker, Mrs. Carrie Hollenbaugh, Mrs. Alice Gabriel, Mrs. Gretchen Warner, Mrs. Addie Sea, Mrs. Hazel McCreagh, Mrs. Elise Hegan, Mrs. Hattie Hayward, Mrs. Daisy Monroe, Mrs. Bertha Hislop, Mrs. Edna Breitenbucher, Mrs. Molly Black, Mrs. Lily Hitecock, Mrs. Ida Palmer, Mrs. Mary Spurgeon and Mrs. Edith Weaver, representing the 1927 East Bay Matrons Association, Order of Eastern Star, of Alameda and Contra Costa counties.

MESSAGES FROM THE ASSEMBLY.

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Committee on Free Conference concerning Senate Bill No. 317—An act to amend section 14 and section 21 of chapter 228, Statutes of 1923, entitled "An act to provide for the incorporation and organization and management of bridge and highway districts and to provide for the acquisition

and construction by said districts of bridges and approaches thereto, and for the acquisition of all property necessary therefor, and also to provide for the issuance and payment of bonds by said districts, for the levying of taxes and the collection of tolls by said districts and for the annexation of additional territory thereto," as amended, relating to bridge and highway districts; and declaring this act to be an urgency measure.

ARTHUR A. OHNIMUS, Chief Clerk.
By C. W. BOOTH, Assistant Clerk.

Senate Bill No. 317 ordered to print and enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT, ENROLLMENT AND PRINTING.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 75—An act to add sections 28a and 28b to chapter 36, Statutes of 1881, entitled "An act to allow unincorporated towns and villages to equip and maintain a fire department and to assess and collect taxes, from time to time, for such purpose, and to create a board of fire commissioners," approved March 4, 1881, as amended, relating to the withdrawal from fire districts formed thereunder of territory therein which will not be benefited by remaining within said district, and for the dissolution of fire districts organized thereunder;

Also: Senate Bill No. 267—An act to amend section 19x14 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the fourteenth class;

Also: Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure, the act to take effect immediately;

Also: Senate Bill No. 575—An act to amend sections 2, 4, 5 and 6 of an act entitled "An act to create the office of Public Defender, to provide for the election of such officers, and prescribing their duties and compensation," approved May 24, 1921, relating to the office of Public Defender;

Also: Senate Bill No. 651—An act to amend section 2280 of the Civil Code, relating to the revocation of trusts;
And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 708—An act to add a new section to be numbered 9a10 to the act entitled "An act to provide for the establishment and maintenance of county free libraries in the State of California, and repealing 'An act entitled 'An act to provide county library systems,' approved April 12, 1909, and all acts and parts of acts in conflict with this act,'" approved February 25, 1911, as amended, relating to libraries in counties of the tenth class;

Also: Senate Bill No. 710—An act to amend section 16x10 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the tenth class;

Also: Senate Bill No. 711—An act to amend section 2322x10 of the Political Code, relating to the office of agricultural commissioner in counties of the tenth class;

Also: Senate Bill No. 737—An act to amend section 2322x24 of the Political Code, relating to the office of agricultural commissioner in counties of the twenty-fourth class;

Also: Senate Bill No. 739—An act to amend section 16x24 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the twenty-fourth class;

Also: Senate Bill No. 761—An act to amend section 1274b of the Code of Civil Procedure, relating to escheat;

Also: Senate Bill No. 780—An act to amend section 2322x14 of the Political Code, relating to the office of agricultural commissioner in counties of the fourteenth class;

And reports that the same have been correctly engrossed.

RILEY, Chairman.

Also:

MR. PRESIDENT: Your Committee on Engrossment, Enrollment and Printing has examined Senate Bill No. 781—An act to amend section 16x14 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fourteenth class—and reports that the same has been correctly engrossed.

RILEY, Chairman.

ON FEDERAL RELATIONS.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Federal Relations, to which was referred Senate Joint Resolution No. 14—Relative to memorializing and petitioning Congress to enact legislation to eliminate the restrictions which now attach to the taxation of national banking associations, and creating a committee to further such purpose—has had the same under consideration, and respectfully reports the same back, and recommends that the resolution be adopted, and re-referred to the Committee on Revenue and Taxation.

Committee membership—5.

(Signed out)

SCHOTTKY, Chairman.

HARPER.

McCORMACK.

RILEY.

WAGY.

Senate Joint Resolution No. 14 ordered re-referred to Committee on Revenue and Taxation.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 200—An act to amend sections 7, 7a and 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the organization of municipal courts in cities or cities and counties of the first and one-half class; to provide for the number of judges, clerks, marshals and other officers and attaches of such municipal courts and their deputies; to fix the compensation therefor—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Governmental Efficiency.

Committee membership—17; committee vote: Ayes—6; noes—3; absent—8.

CHRISTIAN, Chairman.

Assembly Bill No. 200 ordered re-referred to Committee on Governmental Efficiency.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Senate Bill No. 399—An act to amend section 25 of the Civil Code, relating to who are minors—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENT.

Pursuant to the report of the Committee on Judiciary, the following amendment to Senate Bill No. 399 was read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the printed bill, following the second comma appearing therein, insert the following: "that any married female of the age of eighteen or over, shall be deemed to be of the age of majority and to be an adult person for the purpose of entering into any engagement of transaction respecting property or her estate, or for the purpose of entering into any contract, the same as if she was twenty-one years of age."

Bill ordered to print, and re-referred to Committee on Judiciary.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 247—An act to amend section 542a of the Code of Civil Procedure, relating to the lien of an attachment upon real property—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Judiciary, the following amendments to Assembly Bill No. 247 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1 of the printed bill, strike out all of the title, and in lieu thereof insert the following:

"An act to amend sections 542a, 542b, 544 and 560 of the Code of Civil Procedure, relating to attachment."

AMENDMENT NUMBER TWO.

On page 1, line 4, of the printed bill, after the word "filing", insert the words "for record".

AMENDMENT NUMBER THREE.

On page 1, line 6, of the printed bill, strike out the words "are filed".

AMENDMENT NUMBER FOUR.

On page 1, line 16, of the printed bill, after the word "discharged", insert the word "either".

AMENDMENT NUMBER FIVE.

On page 1, line 16, of the printed bill, after the comma following the word "chapter", insert the word "or".

AMENDMENT NUMBER SIX.

On page 1, line 17, of the printed bill, strike out the following: "judgment against the attaching party".

AMENDMENT NUMBER SEVEN.

On page 1, line 18, of the printed bill, strike out the word "or", at the end of the line, and in line 19, strike out the following: "by filing with the county clerk a satisfaction of judgment".

AMENDMENT NUMBER EIGHT.

On page 2, following line 7 of the printed bill, add the following:

"Sec. 2. Section 542b of the Code of Civil Procedure is hereby amended to read as follows:

542b. An attachment or garnishment on personal property, whether heretofore levied or hereafter to be levied, shall, unless sooner released or discharged, cease to be of any force or effect and the property levied on be released from the operation of such attachment or garnishment, at the expiration of three years after the issuance of the writ of attachment under which said levy was made; and the property levied on shall be delivered to the defendant or his order or to his assignee or executor or administrator.

SEC. 3. Section 544 of the Code of Civil Procedure is hereby amended to read as follows:

544. All persons having in their possession, or under their control, any credits or other personal property belonging to the defendant, or owing any debts to the defendant at the time of service upon them of a copy of the writ and notice, as provided in this chapter, shall be, unless such property be delivered up or transferred, or such debts be paid to the sheriff, liable to the plaintiff for the amount of such credits, property, or debts, until the attachment be discharged or any judgment recovered by him be satisfied.

SEC. 4. Section 560 of the Code of Civil Procedure is hereby amended as follows:

560. An attachment as to any real property may be released by a writing signed by the plaintiff, or his attorney, or the officer who levied the writ, and acknowledged and recorded in the like manner as a grant of real property; and upon the recording of such release, it is the duty of the recorder to note the same on the record of the copy of the writ on record in his office. Such attachment may also be released by an entry in the margin of the record thereof, in the county recorder's office, in the manner provided for the discharge of mortgages under section 2938 of the Civil Code."

AMENDMENT NUMBER NINE.

On page 2, line 3, of the printed bill, after the word "filing", insert the words "for record".

Bill ordered to print, and re-referred to Committee on Judiciary.

ON IRRIGATION.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Irrigation, to which was referred Assembly Bill No. 376—An act to amend the "Irrigation district improvement act," as amended, by amending sections 1, 2, 6, 7, 8, 9, and 10, thereof, relating to the time in which proceedings may be attacked, and actions to determine the validity of assessments

and warrants and to organization, notice to bidders, carrying of water, control of weeds, assessments, warrants and property, and by adding three new sections to be numbered 15, 16 and 17, relating to assessments;

Also: Assembly Bill No. 524—An act to amend sections 45, 47 and 48 of the California Irrigation District Act, relating to certificates of sale of lands sold for delinquent assessments and deeds issued pursuant thereto;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that they do pass as amended.

Committee membership—7; committee vote: Ayes—5; absent—2.

MIXTER, Chairman.

Assembly Bills Nos. 376 and 524 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 618—An act to amend section 4307 of the Political Code, relating to county charges;

Also: Assembly Bill No. 619—An act to amend section 4300f of the Political Code, relating to jurors' fees;

Has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that they do pass as amended.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 618 and 619 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 534—An act to amend section 103½ of the Code of Civil Procedure, relating to clerks of justices' courts in cities or towns of the second and one-fourth, second and one-half, second and three-fourths and third classes, and appointments, salaries and duties of same;

Also: Assembly Bill No. 459—An act to amend section 18 of chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the appointment and duties of clerks, deputy clerks, marshals, deputy marshals, and the filling of vacancies in said offices;

Also: Assembly Bill No. 1866—An act to add two new sections to the Code of Civil Procedure, to be numbered 1919a and 1919b respectively, relating to the proof, attestation, authentication and admissibility in evidence of church records and/or registers and/or entries therefrom and/or certificates kept or issued by a clergyman or other person in accordance with law or with the rules, regulations and/or requirements of a religious denomination, society or church;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 534, 459 and 1866 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Judiciary, to which was referred Assembly Bill No. 365—An act to amend sections 4 and 5 of chapter 652, Statutes 1921, entitled "An act to provide for the organization and government of public cemetery districts," approved June 1, 1921;

Also: Assembly Bill No. 1435—An act to amend section 2185c of the Political Code, relating to intemperate users of stimulants, and recommitment of intemperate users of narcotics;

Also: Assembly Bill No. 1235—An act to amend section 3 of the Narcotic Rehabilitation Act, approved April 9, 1927, as amended, relating to the arrest and examination of alleged drug addicts;

Also: Assembly Bill No. 1228—An act to protect trade-mark owners, distributors and the public against injurious and uneconomic practices in the distribution of articles of standard quality under a distinguished trade-mark, brand or name;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—17; committee vote: Ayes—14; absent—3.

CHRISTIAN, Chairman.

Assembly Bills Nos. 365, 1435, 1235 and 1228 ordered on file for second reading.

ON ELECTIONS.

SENATE CHAMBER, SACRAMENTO, March 30, 1931.

MR. PRESIDENT: Your Committee on Elections, to which was referred Senate Bill No. 300—An act to amend section 1197 of the Political Code, relating to election ballots—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—9; absent—2.

FELLOM, Chairman.

Senate Bill No. 300 ordered on file for second reading.

MESSAGE FROM THE ASSEMBLY

The following message from the Assembly was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly amended, and on this day passed as amended, Senate Bill No. 81—An act to amend section 583 of the Civil Code, relating to the dismissal of actions—and respectfully requests your honorable body to concur in said amendments.

ARTHUR A. O'HINIMUS, Chief Clerk.

By FRED J. DESCH, Assistant Clerk.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The Senate took up for consideration Assembly amendments to Senate Bill No. 81—An act to amend section 583 of the Civil Code, relating to the dismissal of actions.

ASSEMBLY AMENDMENTS TO SENATE BILL NUMBER EIGHTY-ONE.

AMENDMENT NUMBER ONE.

On page 1, line 15, of the printed bill, strike out "an", and insert in lieu thereof the following: "a".

AMENDMENT NUMBER TWO.

On page 1, line 6, of the printed bill, strike out "action", and insert in lieu thereof the following: "answer".

The question being: Shall the Senate concur in Assembly amendments to Senate Bill No. 81?

The roll was called, and Assembly amendments to Senate Bill No. 81 concurred in by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Cassidy, Christian, Crittenden, Duval, Duval, Edwards, Evans, Fellom, Harper, Ingels, Inman, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Rich, Riley, Rochester, Schottky, Slater, Treacy, Tubbs, and Wagy—29.

NOES—Senator Carter—1.

Senate Bill No. 81 ordered to print, and enrollment.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The following reports of standing committees were received and read:

ON GOVERNMENTAL EFFICIENCY.

SENATE CHAMBER, SACRAMENTO, April 8, 1931.

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 487—An act to amend sections 3 and 8 of an act entitled "An act to regulate the practice of architecture," approved March 23, 1901, as amended, relating to the State Board of Architectural Examiners—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Assembly Bill No. 487 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 477—An act to repeal chapter 393, Statutes of 1909, entitled "An act to fix the salaries of the State Forester, Deputy Forester and Assistant Forester," approved March 22, 1909, as amended—has had the same under consideration, and respectfully reports the same back, and recommends that it do pass.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Senate Bill No. 477 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 475—An act providing for the organization, operation, maintenance, government and dissolution of resort districts and the inclusion of lands therein and exclusion of lands therefrom, and for the acquisition of lands or rights therein and the acquisition, construction, operation and maintenance of public improvements and works to carry into effect the provisions of this act; for the issuance, sale and payment of bonds of such district to meet the cost of such improvements and works and for the acquisition or construction of such lands or rights therein or improvements and works; and conferring upon the State Engineer certain additional duties and powers in connection with carrying out the purposes of this act—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to Committee on Conservation.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Senate Bill No. 475 ordered re-referred to Committee on Conservation.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Senate Bill No. 230—An act to amend sections 4130 and 4300c of the Political Code, relating to recorders and fees—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and that it do pass as amended.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Senate Bill No. 230 ordered on file for second reading.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 492—An act to add a new section to the Political Code to be numbered 3881a, to authorize the county auditor to enter corrections on the county assessment book and the county tax collector to cancel payments made in error under certain conditions—has had the same under consideration, and respectfully reports the same back, and recommends that it be re-referred to the Committee on Revenue and Taxation.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Assembly Bill No. 492 ordered re-referred to Committee on Revenue and Taxation.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 616—An act to amend chapter 801, Statutes of 1929, entitled "An act regulating the practice of civil engineering," approved June 14, 1929, by amending sections 1, 11, 12, 13, 14, 15, 16, and 17 thereof, relating to the purpose of the act and to the registration of practitioners thereunder, and by adding a new section thereto, to be numbered 1a, embracing a definition of terms—has had the same under consideration, and respectfully reports the same back with amendments, and recommends that the amendments be adopted, and be re-referred to this committee.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

CONSIDERATION OF COMMITTEE AMENDMENTS.

Pursuant to the report of the Committee on Governmental Efficiency, the following amendments to Assembly Bill No. 616 were read and adopted:

AMENDMENT NUMBER ONE.

On page 1, line 17, of the printed bill, as finally amended in the Assembly March 19, 1931, before the word "and" insert "any or all of the following studies and/or activities".

AMENDMENT NUMBER TWO.

On page 2, line 4, of the printed bill, as finally amended in the Assembly March 19, 1931, after the word "and", at the end of the line, add "any or all of the following divisions and/or subjects".

AMENDMENT NUMBER THREE.

On page 5, between lines 18 and 19, of the printed bill, as finally amended in the Assembly on March 19, 1931, add a new paragraph to read as follows:

"And Any person, firm or corporation, holding a license as real estate broker or real estate salesman, while engaged in the business or acting in the capacity of a real estate broker or a real estate salesman, within the meaning of the California real estate act."

Bill ordered to print, and re-referred to Committee on Governmental Efficiency.

Also:

MR. PRESIDENT: Your Committee on Governmental Efficiency, to which was referred Assembly Bill No. 349, An act to amend section 6 of chapter 358, Statutes of 1925, entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other officers and such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended;

Also: Assembly Bill No. 1887—An act authorizing the State of California to acquire and reserve title to certain real property to be used as the site for the erection of a bridge;

Also: Assembly Bill No. 1011—An act to amend section 409 of the Political Code, relating to the fees to be collected by the Secretary of State;

Also: Assembly Bill No. 615—An act to amend chapter 891, Statutes of 1929, entitled "An act regulating the practice of civil engineering," approved June 14, 1929, by adding a new section to said act known as section 16 limiting the use of the title "structural engineer" and providing a method whereby civil engineers must qualify before using the title of structural engineer;

Has had the same under consideration, and respectfully reports the same back, and recommends that they do pass.

Committee membership—11; committee vote: Ayes—11.

CRITTENDEN, Chairman.

Assembly Bills Nos. 349, 1887, 1011 and 615 ordered on file for second reading.

RESOLUTION OF RESPECT.

The following resolution was offered:

By Senator Tubbs:

WHEREAS, The Honorable Nicholas Longworth, for many years Speaker of the House of Representatives in the Congress of the United States, a leading Republican and an outstanding statesman, died this morning at Aiken, South Carolina; and

WHEREAS, The Senate earnestly desires to express its sympathy to the family of the late Speaker Longworth, and to show its deep regret at the passing of such a distinguished national figure; now, therefore, be it

Resolved by the Senate of the State of California, When it shall this day adjourn, that it do so out of respect to the memory of the late Nicholas Longworth; and be it further

Resolved, That the Secretary of the Senate be instructed to have prepared an engrossed copy of this resolution and to forward the same to Mrs. Alice Roosevelt Longworth.

Resolution read, and on motion of Senator Tubbs, seconded by Senator Breed, unanimously adopted by a rising vote of the Senate.

RESOLUTION.

The following resolution was offered:

By Senator Inman:

WHEREAS, The prices offered by the purchasing companies for certain grades of crude petroleum in California have recently been reduced to a point at which profitable production of those certain grades of petroleum is impossible; and

WHEREAS, It appears that by concerted action said petroleum purchasing companies establish and maintain uniform prices; and

WHEREAS, Cessation of operations in the oil fields of this State, due to the reduction in prices of crude petroleum, will result in throwing out of employment large numbers of men engaged in that industry, thereby adding to the already depressed economic condition in California; therefore, be it

Resolved by the Senate. That the President of the Senate shall appoint five members, who shall act as a committee of the Legislature to investigate the reasons for the drastic reduction in the price of crude petroleum of certain grades, the method and manner in which the prices for crude petroleum in this State are established, the relative cost of production and refining of crude oil and of the distributing and marketing thereof and particularly to investigate the methods by which the petroleum purchasing and marketing companies establish and maintain uniform prices for such crude petroleum and as to whether such concerted action is in violation of any law of the State of California or of the United States, and all matters relating thereto, and to report their findings in full to the Legislature at its next session; and be it further

Resolved. That the committee shall have power to issue subpoenas, compel the attendance of witnesses, the production of all books, papers, records and minutes; to administer oaths, take testimony and institute proceedings for contempt; to call upon and require any officer or department of this State for any information in their possession and to employ such assistants as it may deem necessary, and that the expenses incurred in such investigation not exceeding the sum of \$5,000 shall be paid by the Senate out of its contingent fund.

Resolution read, and on motion of Senator Inman ordered printed in the Journal.

SECRETARY JOSEPH A. BEEK AT THE DESK.

INTRODUCTION, FIRST READING AND REFERENCE OF BILLS.

The following resolution was offered:

By Senator Treacy: Senate Concurrent Resolution No. 31—Relating to the Marshall Monument at Coloma, El Dorado County.

Senate Concurrent Resolution No. 31 read, and referred to Committee on Education.

CONSIDERATION OF DAILY FILE.

SECOND READING OF SENATE BILLS.

Senate Bill No. 183—An act to add a new section to the Civil Code to be numbered 356a, relating to the employment of attorneys by corporations and the practice of law by corporations.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 1, line 7, of the amended printed bill, strike out the words "draw agreements, or", in line 8 of the amended printed bill, strike out the words "other legal documents relating to lawful business, or", and in line 9 of the amended printed bill, strike out the words "or legal information,".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 1, line 23, of the amended printed bill, strike out the period after the word "members", and insert in lieu thereof a comma and add the following: "and provided further, that nothing herein contained shall prevent an officer or employee of a banking corporation, trust company or other corporation from consulting or advising with its customers or clients in regard to any business transaction with that corporation".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 578—An act to amend section 6 of chapter 52, Statutes of 1917, entitled "An act providing for the creation, organization, and government of joint Highway districts composed of two or more counties of the State of California," approved April 5, 1917, as amended, relating to estimates and surveys.

COMMITTEE AMENDMENTS.

During the second reading of the bill, the following committee amendments were offered:

AMENDMENT NUMBER ONE.

On page 2, line 18, of the printed bill, following the word "convey", insert the following: "to such district".

Amendment adopted.

AMENDMENT NUMBER TWO.

On page 2, line 41, of the printed bill, following the word "may", insert the following: "in the opinion of the board of directors".

Amendment adopted.

AMENDMENT NUMBER THREE.

On page 2, line 44, of the printed bill, following the word "directors", insert the following: "for the exercise of the powers herein granted".

Amendment adopted.

AMENDMENT NUMBER FOUR.

On page 7, line 1, of the printed bill, after the word "surveys", insert the words "and report".

Amendment adopted.

AMENDMENT NUMBER FIVE.

On page 9, line 20, of the printed bill, following the period after the word "district", insert the following sentence: "The proportions of contribution provided for in said report shall not be exceeded without the consent of the board of supervisors of each county in the district."

Amendment adopted.

AMENDMENT NUMBER SIX.

On page 9, line 30, of the printed bill, strike out the words "twenty-five", and insert in lieu thereof the word "five", also in line 31, strike out "(25%)", and insert in lieu thereof "(5%)".

Amendment adopted.

AMENDMENT NUMBER SEVEN.

On page 10, line 29, of the printed bill, following the word "California", strike out the period, and insert a comma, and following said comma, insert the following: "provided any amount is to be contributed by the state."

Amendment adopted.

AMENDMENT NUMBER EIGHT.

On page 10, line 40, of the printed bill, following the word "district", insert the following: "to be designated by the board of directors or the secretary thereof."

Amendment adopted.

AMENDMENT NUMBER NINE.

On page 11, line 43, of the printed bill, strike out the word "certified".

Amendment adopted.

AMENDMENT NUMBER TEN.

On page 11, line 49, of the printed bill, strike out the figures "18", and insert in lieu thereof the following: "18a".

Amendment adopted.

AMENDMENT NUMBER ELEVEN.

On page 14, between lines 30 and 31, of the printed bill, insert the following paragraph:

"Any number of series of revenue bonds may be issued under this section for any portion or portions of a single or different projects in any district organized and existing under the provisions of this act."

Amendment adopted.

AMENDMENT NUMBER TWELVE.

On page 15, line 20, of the printed bill, immediately preceding the word "all", insert the following:

"Sec. 21a. Bonds legal investments."

Amendment adopted.

AMENDMENT NUMBER THIRTEEN.

On page 17, line 37, of the printed bill, after the comma following the word "district", insert the following: "for any amount"; also strike out lines 38 and 39, and insert in lieu thereof the following: "has previously been paid by such county into the district treasury upon any amount previously levied within and upon such county".

Amendment adopted.

AMENDMENT NUMBER FOURTEEN.

On page 18, line 5, of the printed bill, following the comma after the word "issue", insert the following: "and the proportions of the same to be charged against each such zone," also strike out the word "amount", in said line and page, following the word "which", and insert in lieu thereof the word "amounts".

Amendment adopted.

AMENDMENT NUMBER FIFTEEN.

On page 18, line 12, of the printed bill, strike out the word "fifty", and insert in lieu thereof the words "twenty-five".

Amendment adopted.

AMENDMENT NUMBER SIXTEEN.

On page 19, line 44, of the printed bill, strike out the word "revenue", and insert in lieu thereof the word "funding".

Amendment adopted.

AMENDMENT NUMBER SEVENTEEN.

On page 20, line 39, of the printed bill, after the word "fund", inside of the quotation marks insert the following: "No. -----", also on said page, at said line 39, and in line 40, strike out the following: "(The number to be that of the funding district)", and insert in lieu thereof the following: "(The same to be consecutively numbered within each district as created.)"

Amendment adopted.

AMENDMENT NUMBER EIGHTEEN.

On page 22, line 12, of the printed bill, after the word "the", insert the word "taxable".

Amendment adopted.

AMENDMENT NUMBER NINETEEN.

On page 22, lines 13 and 14, of the printed bill, strike out the words "if in more than one district".

Amendment adopted.

AMENDMENT NUMBER TWENTY.

On page 22, line 14, of the printed bill, commencing with the word "fifteen", strike out all matter to and including the word "hereof", in line 19 of said page, and insert in lieu thereof the following: "the following limitations, viz: in counties having a total assessed value of all taxable property therein of thirty million dollars or less not more than ten per cent thereof; in counties having a total assessed value of all taxable property therein of more than thirty million dollars, and less than one hundred million dollars, the limitation shall decrease from said ten per cent in the

ratio of one per cent for each unit of ten million dollars of assessed valuation above thirty million dollars; in counties having a total assessed value of all taxable property therein in excess of one hundred million dollars, two per cent thereof".

Amendment adopted.

AMENDMENT NUMBER TWENTY-ONE.

On page 26, line 12, of the printed bill, following the period after the word "thereof", insert the following: "It shall be the duty of the secretary of the board of directors to call such meeting for dissolution, or any member of the board of directors may call the same, or any board of supervisors within the district may demand the calling of such meeting and the dissolution of the district."

Amendment adopted.

AMENDMENT NUMBER TWENTY-TWO.

On page 27, line 1, of the printed bill, strike out the word "avoid", and insert in lieu thereof the words "render void".

Amendment adopted.

AMENDMENT NUMBER TWENTY-THREE.

On page 27, line 13, of the printed bill, strike out the words "for immediate construction"; also in line 14, page 27, strike out the first "the", and insert in lieu thereof the word "any".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FOUR.

On page 22, line 49, of the printed bill, after "erty", insert the following: "which is of a kind that is lawful under the provisions of this act".

Amendment adopted.

AMENDMENT NUMBER TWENTY-FIVE.

On page 25, between lines 10 and 11, of the printed bill, insert the following: "The board of directors shall not adopt any resolution declaring completion under this section unless and until it shall first obtain from the director of public works of the State of California, a certificate showing that the highway, or portion thereof, proposed to be surrendered to the county within which the same is situated, has been duly constructed, improved or completed in accordance with the plans and specifications previously adopted therefor."

Amendment adopted.

AMENDMENT NUMBER TWENTY-SIX.

On page 25, line 36, of the printed bill, strike out the period after the word "expenditure", and insert in lieu thereof a comma; also in said line and page, change the capital "I", in the word "If", to a small "i".

Amendment adopted.

AMENDMENT NUMBER TWENTY-SEVEN.

On page 5 of the printed bill, strike out all of lines 2, 3, and 4, and "district.", in line 5, and insert in lieu thereof the following: "lots shall be chosen and appointed by the directors already named in behalf of the several boards of supervisors, and if such directors shall fail to make such appointment within thirty (30) days after the date set for the first meeting of the board of directors, it shall be the duty of the secretary of the board of directors, or any member thereof, to notify the director of public works of the State of California of such fact and it shall thereupon become the duty of such director of public works to appoint such additional member of the board of directors within thirty (30) days after receiving notification as aforesaid."

Amendment adopted.

AMENDMENT NUMBER TWENTY-EIGHT.

On page 9, between lines 12 and 13, of the printed bill, insert the following: "Upon receipt of said report the clerk of each board of supervisors shall cause a notice to be published twice in a newspaper of general circulation published and circulated in the county receiving said report, which notice shall set forth the fact that said report has been received and is on file for public inspection, and shall also designate the time at which the board of supervisors will consider said report, at

which time all interested persons may present any protests or suggestions which they may have to offer concerning the same."

Amendment adopted.

AMENDMENT NUMBER TWENTY-NINE.

On page 13, between lines 9 and 10, of the printed bill, insert the matter now contained on page 27, as Sec. 40, but changing the section number to "Sec. 20a".

Amendment adopted.

AMENDMENT NUMBER THIRTY.

On page 13, line 36, of the printed bill, strike out the words "legal tender", and insert in lieu thereof the words "gold coin".

Amendment adopted.

AMENDMENT NUMBER THIRTY-ONE.

On page 14, line 41, of the printed bill, strike out the words "legal tender", and insert in lieu thereof the words "gold coin".

Amendment adopted.

AMENDMENT NUMBER THIRTY-TWO.

On page 18, lines 44 and 45, of the printed bill, strike out the words "legal tender", in each instance, and insert in lieu thereof the words "gold coin".

Amendment adopted.

AMENDMENT NUMBER THIRTY-THREE.

On page 20, line 1, of the printed bill, strike out the words "legal tender", and insert in lieu thereof the words "gold coin".

Amendment adopted.

AMENDMENT NUMBER THIRTY-FOUR.

On page 13, line 35, of the printed bill, strike out the words "legal tender", and insert in lieu thereof the words "gold coin".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

Senate Bill No. 768—An act to amend section 636 of the Penal Code, relating to the protection of fish.

COMMITTEE AMENDMENT.

During the second reading of the bill, the following committee amendment was offered:

AMENDMENT NUMBER ONE.

On page 4, line 16, of the printed bill, after the word "survey", insert the following: "as of January 1, 1931".

Amendment adopted.

Bill read second time, ordered to print, engrossment, and on file for third reading.

CONSIDERATION OF DAILY FILE.

SECOND READING OF ASSEMBLY BILLS.

Assembly Bill No. 151—An act to amend sections 1205 and 1446 of the Penal Code, relating to judgments directing imprisonment for satisfaction of fines and providing for payment of fines within a limited time or in installments in certain cases.

Bill read second time, and ordered on file for third reading.

Assembly Bill No. 291—An act to amend the California Irrigation District Act by adding a new section thereto, to be numbered section 55a, relating to rates and charges for water.

Bill read second time, and ordered on file for third reading.

CONSIDERATION OF DAILY FILE.

THIRD READING OF SENATE BILLS.

Senate Bill No. 492—An act to add a new section to "An act to protect natural resources of petroleum and gas from waste and destruction; relating to the creation of a division in the Department of Natural Resources for the prevention of such waste and destruction; providing for the appointment of a State Oil and Gas Supervisor; prescribing his duties and powers; fixing his compensation; providing for the appointment of deputies and employees; providing for their duties and compensation; providing for the inspection of petroleum and gas wells; requiring all persons operating petroleum and gas wells to make certain reports; permitting and authorizing agreements in the interests of conservation; providing for suits by the Director of the Department of Natural Resources in the name of the people of the State of California; providing procedure for arbitration of departmental rulings; creating a fund for the purposes of the act; providing for assessment of charges to be paid by operators and providing for the collection thereof; and making an appropriation for the purposes of this act," approved June 10, 1915, as amended, to be numbered 16b, relating to bonds required of drillers of oil and gas wells.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 492 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Critten-den, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Maloney, McCormack, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Slater, Swing, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 701—An act to amend section 6 of chapter 532, Statutes 1917, as amended chapter 447, Statutes 1925, entitled "An act for the regulation and supervision of companies, brokers, agents, and sales of securities as the same are therein defined, and to prevent fraud in the sale of securities; providing for the enforcement of said act and penalties for the violation thereof; and creating a Corporation Department and the office of Commissioner of Corporations."

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Breed moved to refer Senate Bill No. 701 to Senator Nelson, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

In line 4 of the title of the printed bill, as amended, strike out "38 and 39", and insert in lieu thereof the following: "and 38".

AMENDMENT NUMBER TWO.

On page 9 of the printed bill, as amended, strike out all of lines 23 to 26, inclusive, and insert in lieu thereof the following: "issued by him if he finds, after a hearing upon such notice as he, in his discretion, shall deem reasonable, that there exists any of the grounds herein above enumerated for the denial of an application for a broker's or agent's license. If, at the expiration of thirty days from the date of such suspension, the".

AMENDMENT NUMBER THREE.

On page 10, line 2, of the printed bill, as amended, after the word "broker", insert the following: "in the regular course of business".

AMENDMENT NUMBER FOUR.

On page 10, line 13, of the printed bill, as amended, strike out the following: "(e)", and insert in lieu thereof the following: "(d)".

AMENDMENT NUMBER FIVE.

On page 13, line 41, of the printed bill, as amended, after the word "broker", insert the following: ", provided, however, that any of such data so required by the commissioner which relates to the customers of any such broker, or the accounts of such customers, shall be kept by the commissioner in a confidential file and shall not be open to the public".

AMENDMENT NUMBER SIX.

On page 13, line 44, of the printed bill, as amended, after the word "sale", insert the following: ", except in performance of a contract previously entered into in conformity with the provisions of this act,".

AMENDMENT NUMBER SEVEN.

On page 16, line 47, of the printed bill, as amended, before the word "state", insert the following: "corporation commission fund in the".

AMENDMENT NUMBER EIGHT.

On page 17, line 27, of the printed bill, as amended, after the word "determine", insert the following: "with the approval of the department of finance".

AMENDMENT NUMBER NINE.

On page 17, line 35, of the printed bill, as amended, before the word "fix", insert the following: ", with the approval of the department of finance,".

AMENDMENT NUMBER TEN.

On page 17, line 36, of the printed bill, as amended, strike out the following: ", which compensation and", and insert a period and strike out all of lines 27, 38, 39 and 40 down to and including the period after the word "treasury."

AMENDMENT NUMBER ELEVEN.

On page 18, line 24, of the printed bill, as amended, after the word "officers", insert the following: ", employees".

AMENDMENT NUMBER TWELVE.

On page 18, line 26, of the printed bill, as amended, strike out the following: "make entries therein", and insert in lieu thereof the following: "that employees shall be permitted to make entries therein reflecting current operations or transactions".

AMENDMENT NUMBER THIRTEEN.

On page 20, line 1, of the printed bill, as amended, before the word "state", insert the following: "corporation commission fund in the".

AMENDMENT NUMBER FOURTEEN.

On page 22 of the printed bill, as amended, strike out all of lines 49, 50, 51 and 52, and insert in lieu thereof the following: "his direction, and the treasurer shall pay the same."

AMENDMENT NUMBER FIFTEEN.

On page 23 of the printed bill, as amended, strike out all of lines 1 to 5, inclusive, and insert in lieu thereof the following:

"Sec. 28. Section 29 of said act is hereby amended to read as follows:".

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 701, with instructions to amend, respectfully reports the same back, amended as per instructions.

NELSON, Committee.

Report read, and on motion of Senator Breed adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 840—An act to amend section 4 of chapter 277 of the Statutes of 1907, entitled "An act to create a fund to be known as the United States Forest Reserve Fund and to provide for the payment out of such fund to the treasuries of the several counties entitled thereto of certain moneys received from the government of the United States, and also to regulate the manner of expenditure by the counties of the moneys so paid," approved March 18, 1907, as amended, relating to the apportionment of moneys received by counties from the United States Forest Reserve Fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 840 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McKinley, Mixer, Moran, Nelson, Pedrotti, Rich, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ASSISTANT SECRETARY FRANCIS E. DALIN AT THE DESK.

Senate Bill No. 751—An act to create a fund to be known as the State Highway General Fund and providing for expenditures therefrom.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 751 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 416—An act to provide for the standardization of cement-concrete pipe sold for irrigation purposes.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 416 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Moran, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, and Waggy—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 933—An act to amend section 4041.21 of the Political Code, relating to the powers of boards of supervisors.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 933 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—33.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 267—An act to amend section 19.11 of the Juvenile Court Law, relating to the salaries of the probation officer and assistants in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 267 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Duval, Edwards, Evans, Fellom, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 780—An act to amend section 2322.11 of the Political Code, relating to the office of agricultural commissioner in counties of the eleventh class.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 780 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Pedrotti, Rich, Riley, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Wagy, and Williams—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 355—An act to validate bonds of school districts, high school districts and junior college districts of every kind and class, and providing for the levy of a tax to pay the same, and declaring the urgency of said measure.

Bill read third time.

URGENCY CLAUSE.

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of section 1 of article IV of the constitution of the State of California, and shall take effect immediately. The following is a statement of the facts constituting such urgency: many school districts within the State of California are without sufficient money with which to purchase school lots, for building or purchasing one or more school buildings or making alterations or additions to same or repairing, restoring or rebuilding school buildings damaged, injured or destroyed by fire or other public calamity, for insuring school buildings, for supplying school buildings with furniture or necessary apparatus, for improving school grounds, for liquidating any indebtedness already incurred for said purposes or refunding any valid outstanding indebtedness of such district evidenced by bonds or warrants thereof. Many school districts have voted bonds for raising money for such purposes and the proceedings in many

of such bond elections were irregular but complying with all the provisions of this act, and by reason of such irregularities and defects in such proceedings such bonds can not now be sold. The population of many of these districts has increased so rapidly that the present school facilities of such districts are unable to meet the needs of the great increase of pupils in such districts and it is necessary and urgent that such bonds and the proceedings thereunder be validated at an early date in order that said school buildings, lots, equipment and facilities may be purchased or built before the opening of the next school year which in many instances would be impossible if this act did not go into effect immediately but was required to await until ninety days after adjournment of this Legislature.

Urgency clause read.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Cassidy, Christian, Crittenden, Deuel, Edwards, Evans, Fellom, Harper, Hays, Ingels, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—31.

NOES—None.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 355 passed by the following vote:

AYES—Senators Allen, Baker, Breed, Bush, Carter, Christian, Crittenden, Deuel, Evans, Fellom, Harper, Hays, Inman, Jones, Maloney, McCormack, McKinley, Mixer, Nelson, Riley, Rochester, Schottky, Sharkey, Slater, Swing, Treacy, Tubbs, Waggy, and Williams—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 781—An act to amend section 16x14 of the Weights and Measures Act, relating to sealers of weights and measures in counties of the fourteenth class.

Bill read third time.

MOTION TO REFER TO SPECIAL COMMITTEE OF ONE.

During third reading of the bill, Senator Mixer moved to refer Senate Bill No. 781 to Senator Harper, as a Special Committee of One, to amend as follows:

AMENDMENT NUMBER ONE.

On page 1, line 8, of the printed bill, strike out "one hun."; also strike out lines 9 and 10, and insert in lieu thereof the following: "two thousand two hundred dollars per annum, and deputies shall receive one thousand eight hundred dollars per annum each."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, April 9, 1931.

MR. PRESIDENT: Your Special Committee of One, to which was referred Senate Bill No. 781, with instructions to amend, respectfully reports the same back, amended as per instructions.

HARPER, Committee.

Report read, and on motion of Senator Mixer adopted.

Bill ordered to print and re-engrossment.

Senate Bill No. 651—An act to amend section 2280 of the Civil Code, relating to the revocation of trusts.

Bill read third time.

The question being on the passage of the bill.













